

**CHARGE:** 402 (a) (3)—unfit for food by reason of its sour and disagreeable flavor while held for sale.

**DISPOSITION:** 1-19-55. Default—destruction.

**22204. Cocoa, coffee sweepings, and lentils.** (F. D. C. No. 30323. S. Nos. 73-866 K, 74-303/4 K, 74-306 K.)

**QUANTITY:** 412 130-lb. bags (2 lots, 400 bags and 12 bags) of coffee sweepings, 4 150-lb. bags of cocoa, and 4 bags, 118½-lbs. each, of lentils at Brooklyn, N. Y., in possession of Prentice Stores, New York Dock Co.

**SHIPPED:** From foreign countries on various dates.

**LIBELED:** 12-7-50, E. Dist. N. Y.

**CHARGE:** 402 (a) (3)—contained wood splinters, dirt, rodent excreta, insects, and other extraneous material; and, 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** J. Aron & Co., Inc., Leon Israel & Bros., Inc. A. L. Ransodoff Co., Inc., H. L. C. Bendiks, Inc., Schaefer Klausmann Co., Inc., Hard & Rand, Inc., C. A. Mackey & Co., Inc, East Asiatic Co., Inc., A. C. Israel Commodity Co., Inc., and S. A. Schonbrunn & Co., claimants, filed an answer denying that the articles were adulterated as alleged. Interrogatories served upon the claimants by the Government were not answered. The claimants subsequently withdrew their answer and consented to the entry of a decree. On 2-25-54, a decree was entered condemning the articles and ordering the release of the 400-bag lot to the claimant for the purpose of bringing the article into compliance with the provisions of the Act within a period of 6 months, and ordering the destruction of the 4-bag lot of lentils, the 4-bag lot of cocoa, and the 12-bag lot of coffee sweepings.

The claimants failed to comply with the provisions of the decree in the allotted time, and a motion made on behalf of the Government, requesting the destruction of the 400-bag lot of coffee sweepings, and a cross-motion made on behalf of the claimants, requesting an extension of time in which to comply, were heard by the court on 3-16-55. On 4-15-55, the court entered a decree denying the claimants' motion and directing that the claimants return all lots for destruction at claimants' expense. The articles were destroyed.

## CEREALS AND CEREAL PRODUCTS

### CORNMEAL\*

**22205. Cornmeal.** (F. D. C. No. 37815. S. No. 2-214 M.)

**QUANTITY:** 53 25-lb. bags at Charleston, W. Va., in possession of Capitol Feed Co.

**SHIPPED:** 12-30-54, from Salina, Kans.

**LIBELED:** On or about 3-17-55, S. Dist. W. Va.

**CHARGE:** 402 (a) (3)—contained rodent excreta and rodent urine; and, 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** 4-7-55. Default—consumption by animals.

**22206. Cornmeal.** (F. D. C. No. 37411. S. No. 85-518 L.)

**QUANTITY:** 26 25-lb. bags at Sweetwater, Tex., in possession of J. H. Tubb Wholesale Grocery.

\*See also Nos. 22210, 22277.

**SHIPPED:** 9-20-54, from St. Joseph, Mo.

**LIBELED:** 11-23-54, N. Dist. Tex.

**CHARGE:** 402 (a) (3)—contained rodent filth; and, 402 (a) (4)—held under insanitary conditions.

**DISPOSITION:** 2-4-55. Default—consumption by animals.

**22207. Cornmeal, hominy grits, iodized salt, pancake mix, and rice.** (F. D. C. No. 36658. S. Nos. 15-915/6 L, 15-918 L, 44-022/3 L.)

**INFORMATION FILED:** 12-6-54, E. Dist. Okla., against S. D. Giacomo Co., a partnership, Krebs, Okla., and Vito Barzellone, partner and manager.

**ALLEGED VIOLATION:** Between 9-5-51 and 3-16-54, while quantities of the above-named foods were being held for sale after shipment in interstate commerce, the defendants caused the products to be placed in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the products being adulterated.

**CHARGE:** 402 (a) (3)—contained rodent urine and rodent excreta pellets; and, 402 (a) (4)—held under insanitary conditions.

**PLEA:** Nolo contendere.

**DISPOSITION:** 5-25-55. Each defendant fined \$250.

**22208. Cornmeal and pasole.** (F. D. C. No. 37931. S. Nos. 7-132 M, 7-135 M.)

**QUANTITY:** 3 100-lb. bags and 6 1-lb. bags of cornmeal, 1 100-lb. bag of untreated corn (pasole), 2 100-lb. bags of treated corn (pasole), and 6 2-lb. bags and 4 1-lb. bags of pasole at Denver, Colo., in possession of Wholesaler Grocery.

**SHIPPED:** 11-8-52 and during 1953, from Dixon, N. Mex.

**LIBELED:** 4-13-55, Dist. Colo.

**CHARGE:** 402 (a) (3)—both articles contained insects, and the cornmeal contained also rodent excreta and rodent urine; and, 402 (a) (4)—both articles had been held under insanitary conditions.

**DISPOSITION:** 6-1-55. Default—consumption by animals.

**22209. Yellow cornmeal and dried lima beans.** (F. D. C. No. 37779. S. Nos. 8-378 M, 8-380 M.)

**QUANTITY:** 15 cases, 10 5-lb. bags each, of yellow cornmeal, and 20 cases, 12 2-lb. bags each, of dried lima beans at Sayre, Okla.

**SHIPPED:** Between 12-2-52 and 7-22-54, from St. Joseph, Mo., and Sterling, Colo.

**LIBELED:** 2-2-55, W. Dist. Okla.

**CHARGE:** 402 (a) (3)—contained insects while held for sale.

**DISPOSITION:** 3-10-55. Default—consumption by animals.

#### FLOUR\*

**22210. Various products such as flour, salt, sugar, and cornmeal.** (Inj. No. 287.)

**COMPLAINT FOR INJUNCTION FILED:** 4-6-55, Dist. Mass., against Thurman Co., a corporation, Boston, Mass., and Harry Epstein, president.

**CHARGE:** The complaint alleged that the defendants were engaged in the business of storing and selling various food products, such as flour, salt, sugar, and

\*See also Nos. 22277, 22282.