

MISCELLANEOUS

1536. Adulteration of Cream of Maize. U. S. v. 13 Bags of Corn Flakes. Default decree of condemnation and destruction. (F. D. C. No. 3783. Sample No. 39598-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to contain insects and insect fragments.

On February 8, 1941, the United States attorney for the Western District of Kentucky filed a libel against 13 bags of Cream of Maize at Paducah, Ky., alleging that the article had been shipped in interstate commerce on or about November 20, 1940, by the Decatur Milling Co. from Decatur, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Hexagon Brand Cream of Maize Confectioner's Corn Flakes."

On April 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1537. Adulteration of Dina-Mite cereal. U. S. v. 33 and 32 Cases of Dina-Mite. Default decree of condemnation and destruction. (F. D. C. No. 3094. Sample Nos. 32259-E, 32260-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested.

On September 27, 1940, the United States attorney for the District of Arizona filed a libel against 65 cases of cereal at Phoenix, Ariz., alleging that the article had been shipped in interstate commerce on or about September 13 and 18, 1939, by the Dina-Mite Food Co. from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Quick Cooking Dina-Mite a Delicious Blending of Wheat [or "Oats"] Bran, Flax."

On January 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1538. Misbranding of pretzel sticks. U. S. v. 12 Cases of Pretzel Sticks. Default decree of condemnation and destruction. (F. D. C. No. 2551. Sample No. 24247-E.)

The packages each contained a wax paper bag filled with pretzel sticks. The product occupied on an average only about 62 percent of the capacity of the package.

On August 14, 1940, the United States attorney for the District of New Jersey filed a libel against 12 cases of pretzel sticks at Collingswood, N. J., alleging that the article had been shipped in interstate commerce within the period from on or about July 8 to on or about July 17, 1940, by the Union Premier Stores, Inc., from Philadelphia, Pa.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: (Package) "Fyne Taste Pretzel Sticks * * * Distributed by Food Fair Inc. of Penna. Philadelphia."

On January 31, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FEED

1539. Misbranding of cottonseed cake and meal. U. S. v. Southland Cotton Oil Co. Plea of guilty. Fine, \$50. (F. D. C. No. 2954. Sample No. 18489-E.)

This product contained less protein than was declared on its label.

On March 20, 1941, the United States attorney for the Western District of Oklahoma filed an information against the Southland Cotton Oil Co., a corporation, Oklahoma City, Okla., alleging shipment on or about September 17, 1940, from the State of Oklahoma into the State of Kansas of a quantity of cottonseed cake and meal that was misbranded. The article was labeled in part: (Tag) "Southland's Cottonseed Cake and Meal."

It was alleged to be misbranded in that the statement "Crude Protein not less than 43%," appearing on the tag, was false and misleading since it contained not more than 40.75 percent of crude protein.

On March 25, 1941, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.