

4059. Adulteration of rice. U. S. v. 370 Bags of Rice. Consent decree of condemnation. Product ordered released under bond for segregating the sound from the unsound. (F. D. C. No. 8149. Sample No. 13204-F.)

This product had been stored, after shipment, under insanitary conditions and when examined the bags showed evidence of contamination by rodents.

On August 19, 1942, the United States attorney for the Western District of Washington filed a libel against 370 100-pound bags of rice at Seattle, Wash., alleging that the article was in possession of the Olympic Warehouse & Cold Storage Co., and that it had been shipped in interstate commerce on or about April 1, 1942, from Houston, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Red Diamond Brand Texas Patna Rice."

On September 9, 1942, Arthur B. King, F. Y. Louie, and Louie Kui, trading as Tsue Chong Co., having appeared as claimants, judgment of condemnation was entered and the product was ordered released under bond for segregation of the sound from the unsound portion under the supervision of the Food and Drug Administration. The unsound portion was destroyed or denatured.

4060. Adulteration of powdered St. John's bread. U. S. v. 32 Barrels of Powdered St. John's Bread. Default decree of destruction. (F. D. C. No. 7902. Sample No. 68361-E.)

This product contained capsicum or some other pungent substance foreign to St. John's Bread.

On July 14, 1942, the United States attorney for the District of Minnesota filed a libel against 32 barrels of St. John's Bread at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about March 17, 1942, by S. B. Penick & Co. from Chicago, Ill.; and charging that it was adulterated in that an article containing capsicum or other pungent substance had been substituted wholly or in part for St. John's Bread.

On September 8, 1942, no claimant having appeared, judgment was entered ordering the product be destroyed.

CONFECTIONERY AND SUGARS

CANDY

Nos. 4061 to 4088 report the disposition of legal actions involving lots of candy shipped in interstate commerce. Analysis of these candies showed that they contained one or more of various types of filth contamination such as rodent pellets, rodent hairs, insects, insect fragments, larvae, and miscellaneous filth.

4061. Adulteration of candy. U. S. v. Nishan Androyan (Eastern Candy Co.). Plea of nolo contendere. Judgment of guilty. Fine, \$1,000. (F. D. C. No. 6438. Sample Nos. 24146-E, 24147-E, 40712-E, 59865-E, 59866-E, 59881-E.)

On August 12, 1942, the United States attorney for the Eastern District of Pennsylvania filed an information against Nishan Androyan, trading as Eastern Candy Co., Philadelphia, Pa., alleging shipment within the period from on or about September 12, 1940, to on or about March 14, 1942, from the State of Pennsylvania into the States of Maryland and New Jersey of quantities of candy which was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Cocoanut Cream Eggs," "Fruit and Nut Egg," "Butter Creams," "Cocoanut Clusters," "Cashew Clusters," or "Tas-Tee' Peanut Chews."

On September 10, 1942, a plea of nolo contendere having been entered the court found the defendant guilty and imposed a fine of \$1,000.

4062. Adulteration of candy. U. S. v. The McPhail Corporation. Plea of nolo contendere. Fine \$100. Sentence suspended for a period of 1 year. (F. D. C. No. 7246. Sample Nos. 37596-E, 37598-E, 48547-E, 48999-E, 49000-E, 70229-E.)

On June 29, 1942, the United States attorney for the Southern District of Florida filed an information against the McPhail Corporation, Jacksonville, Fla., alleging shipment within the period from on or about December 3 to on or about December 9, 1941, from the State of Florida into the States of Georgia and