

MISCELLANEOUS CEREAL PRODUCTS

6848. Adulteration of pearl barley. U. S. v. 17 Bags of Pearl Barley. Default decree of condemnation. Product ordered delivered to the National Zoological Park. (F. D. C. No. 13607. Sample No. 92819-F.)

LIBEL FILED: August 31, 1944, District of Columbia.

ALLEGED SHIPMENT: On or about May 15 and June 15, 1944, from Baltimore, Md., and Philadelphia, Pa.

PRODUCT: Pearl barley: 17 bags, each containing 100 pounds, at Washington, D. C., stored at the Terminal Refrigerating and Warehousing Corporation.

This product had been stored, after shipment, under insanitary conditions. A number of the bags had been tunneled by rodents, and rodent excreta and urine stains were observed on the bags. Examination showed that the article contained rodent excreta.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 6, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to the National Zoological Park, for its use only and not for sale.

6849. Adulteration of buckwheat groats. U. S. v. 7 Bags and 7 Bags of Whole Buckwheat Groats. Default decree of condemnation and destruction. (F. D. C. No. 13682. Sample Nos. 78325-F, 78326-F.)

LIBEL FILED: September 14, 1944, Western District of New York.

ALLEGED SHIPMENT: On or about August 23, 1944, by Reeves, Parvin & Co., from Allentown, Pa.

PRODUCT: 14 100-pound bags of whole buckwheat groats at Cohocton, N. Y.

LABEL, IN PART: "Larrowe's Whole Buckwheat Groats," and "Birketts Best Whole Fancy Brown Buckwheat Groats."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and pupae in one portion and rodent excreta in the remainder.

DISPOSITION: November 3, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6850. Adulteration of Colettes (a corn meal product). U. S. v. 24 Cases of Colettes (and 3 other seizure actions against Colettes). Decrees of condemnation. Portion of product ordered released under bond, portion ordered sold, remainder ordered destroyed. (F. D. C. Nos. 13446, 13893, 13920, 13921. Sample Nos. 68569-F, 73687-F, 73691-F, 90223-F.)

LIBELS FILED: August 28, October 5, and October 9, 1944, Eastern District of Missouri, Southern District of California, and Southern District of Ohio.

ALLEGED SHIPMENT: Between on or about August 11 and September 6, 1944, by the Flakall Corporation, from South Beloit, Ill., Portland, Oreg., and Beloit, Wis.

PRODUCT: Colettes; 24 cases and 20 cartons, each containing 30 pounds, at St. Louis, Mo., and Blanchester, Ohio, respectively; and 464 cases, each containing 25 pounds, at Los Angeles, Calif.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hair, rodent hair fragments, fragments resembling rodent hair, and insect fragments; and, Section 402 (a) (4), (St. Louis lot only) it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: November 9, 1944. The Popcorn Processors, Inc., claimant for the lot at Los Angeles, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for use as hog feed, under the supervision of the Food and Drug Administration. On September 20 and November 24, 1944, no claimants having appeared for the remainder, judgments of condemnation were entered. The lot at St. Louis was ordered sold, provided that it be used solely for non-human consumption, and the lot at Blanchester was ordered destroyed.