

**DISPOSITION:** May 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10935. Misbranding of popcorn. U. S. v. 71 Cartons \* \* \*. (F. D. C. No. 19290. Sample Nos. 12853-H, 52523-H.)**

**LABEL FILED:** March 4, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about January 18 and 25, 1946, by the Better Taste Popcorn Co., from Anderson, Ind.

**PRODUCT:** 71 cartons, each containing 36 bags, of popcorn at Amelia, Ohio. Examination showed the article to be short-weight.

**LABEL, IN PART:** "Popcorn Net Weight 2 Oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the label of the article failed to contain an accurate statement of the quantity of the contents.

**DISPOSITION:** April 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10936. Adulteration of rice. U. S. v. 21 Bags \* \* \*. (F. D. C. No. 19660. Sample No. 52858-H.)**

**LABEL FILED:** April 24, 1946, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about December 1, 1945, from Stuttgart, Ark.

**PRODUCT:** 21 100-pound bags of rice at Zanesville, Ohio, in possession of Baker Brothers. The article had been stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article 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:** July 12, 1946. No claimant having appeared, judgment was entered ordering that the product be destroyed.

**10937. Adulteration and misbranding of rice bran. U. S. v. 283 Bags \* \* \*. (F. D. C. No. 19701. Sample No. 1373-H.)**

**LABEL FILED:** April 22, 1946, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about December 8, 1945, by Liberty Rice Mill, Inc., from Kaplan, La.

**PRODUCT:** 283 100-pound bags of rice bran at Jacksonville, Fla.

**LABEL, IN PART:** "Stone Rice Bran Minimum per cent Crude Protein . . . 7.00% \* \* \* Maximum per cent Crude Fibre . . . 27.00%."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture consisting of more than 65 percent rice hulls with bran had been substituted for rice bran.

Misbranding, Section 403 (a), the label statements "Minimum per cent Crude Protein 7.00%" and "Maximum per cent Crude Fibre 27.00%" were false and misleading as applied to the article, which contained less protein and more crude fiber than declared on the label.

**DISPOSITION:** September 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**10938. Adulteration and misbranding of Cream of Rice. U. S. v. 96 Cases and 10 Cases \* \* \*. (F. D. C. Nos. 19593, 19594. Sample No. 37195-H.)**

**LIBELS FILED:** May 23, 1946, District of Oregon.

**ALLEGED SHIPMENT:** On or about December 22, 1945, by the Grocery Store Products Co., from New Orleans, La.

**PRODUCT:** 106 cases, each containing 24 1-pound, 2-ounce packages, of Cream of Rice at Portland, Oreg.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin B<sub>1</sub> and riboflavin (vitamin G), had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "A serving (1 ounce) supplies these percentages of the minimum daily requirements: Vitamin B<sub>1</sub>, Infants 60%, Children 1 to 6 years 30%, Children 6 to 12 years 20%, Adults 15% Vitamin G, Infants 16%, Adults 4%" was false and misleading. The

article would provide less than the stated proportions of the minimum daily requirements of vitamin B<sub>1</sub> and riboflavin (vitamin G).

**DISPOSITION:** October 15, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to a charitable or public institution.

## CHOCOLATE AND RELATED PRODUCTS

### CANDY\*

**10939. Adulteration of candy. U. S. v. Hollywood Brands, Inc. (Hollywood Candy Co.). Plea of guilty. Fine, \$1,600 and costs. (F. D. C. No. 19537. Sample Nos. 18780-H to 18782-H, incl., 19405-H, 19406-H, 19408-H, 19409-H, 19411-H, 19412-H, 21653-H, 22716-H to 22718-H, incl.)**

**INFORMATION FILED:** June 4, 1946, Eastern District of Illinois, against Hollywood Brands, Inc., trading as the Hollywood Candy Co., Centralia, Ill.

**ALLEGED SHIPMENT:** Between the approximate dates of July 21 and August 2, 1945, from the State of Illinois into the States of Missouri and Minnesota.

**LABEL, IN PART:** "Hollywood's Magic," "Hollywood's \* \* \* Milk Chocolate," or "Payday."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of larvae, insect fragments, rodent hair fragments, insects, rodent hair, and setae.

**DISPOSITION:** July 2, 1946. A plea of guilty having been entered, the court imposed a fine of \$200, plus costs, on each of the 8 counts of the information.

**10940. Adulteration of candy. U. S. v. 120 Boxes \* \* \*. (F. D. C. No. 19587. Sample No. 49221-H.)**

**LIBEL FILED:** April 8, 1946, Western District of Louisiana.

**ALLEGED SHIPMENT:** On or about March 11, 1946, by the Lunsford Candy Co., Dallas, Tex.

**PRODUCT:** 120 boxes each containing 16 candy bars at Abbeville, La.

**LABEL, IN PART:** "Ko Ko Creme Cocoanut Flavored Fudge Dal-Tex Candy Co. Dallas, Texas."

**NATURE OF CHARGE:** 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 fragments and insect parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 10, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or disposed of otherwise, as provided by law.

**10941. Adulteration of candy. U. S. v. 42 Boxes \* \* \* (and 1 other seizure action). (F. D. C. Nos. 19417, 19418. Sample Nos. 8706-H, 8707-H.)**

**LIBELS FILED:** March 12, 1946, Southern District of New York.

**ALLEGED SHIPMENT:** On or about February 6, 1946, by the Hooton Chocolate Co., from Newark, N. J.

**PRODUCT:** 11 boxes of candy at New York, N. Y.

**LABEL, IN PART:** "Hooton's Milk Peanut Jumbo Blocks."

**NATURE OF CHARGE:** 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 fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** March 28, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**10942. Adulteration of candy. U. S. v. 5 Cartons \* \* \*. (F. D. C. No. 19358. Sample No. 52634-H.)**

**LIBEL FILED:** On or about March 25, 1946, Southern District of Indiana.

\*See also Nos. 11012, 11096.