

ALLEGED SHIPMENT: On or about September 5, 1945, and between the approximate dates of January 4 and July 5, 1946, by the Central Popcorn Co., from Schaller, Iowa, and Minneapolis, Minn.

PRODUCT: Shelled popcorn. 7 600-pound barrels and 26 100-pound bags at Stevens Point, 5 100-pound bags at Eau Claire, Wis., and 387 100-pound bags and 44 100-pound bags at Denver, Colo.

LABEL, IN PART: (Portion) "South American Shelled Popcorn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: On September 4, 1946, and January 6, 9, and 30, 1947, Gladys R. Mickey, Stevens Point, Wis., appeared as claimant for the Stevens Point lot, and Cooper Foundation, Lincoln, Nebr., and the Atlas Theater Corp., Denver, Colo., appeared as claimants for the Denver lots. No claimant having appeared for the Eau Claire lot, and the claimants for the other lots having consented to the entry of decrees, judgments of condemnation were entered. It was ordered that the Eau Claire lot be delivered to a public institution, for use as animal feed, and that the other three lots be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

11338. Adulteration of rice. U. S. v. 212 Bags * * *. (F. D. C. No. 20621. Sample No. 47723-H.)

LIBEL FILED: August 13, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about October 4, 1945, by Hills Farms, from Dos Palos, Calif.

PRODUCT: 212 100-pound bags of rice at Denver, Colo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, rodent pellets, and rodent hairs.

DISPOSITION: On September 6, 1946, The Denver Brewing Co., Denver, Colo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for cleaning to facilitate the removal of all filth, under the supervision of the Food and Drug Administration.

On December 16, 1946, an amended decree was entered ordering the product sold for use as animal feed.

11339. Adulteration of wheat. U. S. v. 90,530 Pounds * * *. (F. D. C. No. 20374. Sample No. 56462-H.)

LIBEL FILED: On or about July 11, 1946, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 18, 1946, by General Mills, Inc., from Wichita, Kans.

PRODUCT: 90,530 pounds of wheat at Kansas City, Mo.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of being contaminated with ferric ferrocyanide (Prussian blue).

DISPOSITION: July 15, 1946. The Atchison, Topeka and Santa Fe Railway Co. having appeared as claimant, judgment was entered ordering that the product be delivered to the claimant to be sold by it, under the supervision of the Food and Drug Administration. The product was subsequently reconditioned and mixed with other ingredients for manufacture into animal feed.

CHOCOLATE, SUGAR, AND RELATED PRODUCTS

CANDY

11340. Adulteration of candy. U. S. v. The D. L. Clark Co. and Harold S. Clark. Pleas of nolo contendere. Fines of \$1,000 and costs against corporate defendant and \$1.00 and costs against individual defendant. (F. D. C. No. 20454. Sample Nos. 9804-H to 9806-H, incl., 10373-H, 10381-H.)

INFORMATION FILED: July 30, 1946, Western District of Pennsylvania, against the D. L. Clark Co., a corporation, Pittsburgh, Pa., and Harold S. Clark, president.

ALLEGED SHIPMENT: Between the approximate dates of October 18 and November 13, 1945, from the State of Pennsylvania into the States of New York, Ohio, and West Virginia.

LABEL, IN PART: "World's Greatest 5¢ Candy Bar Clark 5¢ Eclipses All!" or "Clark's Winkers."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, insect fragments, rodent hairs, rodent hair fragments, and cat hair fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 16, 1946. Pleas of nolo contendere having been filed on behalf of both defendants, the court imposed fines of \$1,000 and costs against the corporate defendant and \$1.00 and costs against the individual defendant.

11341. Adulteration of candy. U. S. v. Congress Candy Co. and Armin F. Rohde. Pleas of guilty. Defendants fined \$500 each and placed on probation for a period of 1 year. (F. D. C. No. 20448. Sample Nos. 51148-H, 51149-H.)

INFORMATION FILED: July 12, 1946, District of North Dakota, against the Congress Candy Co., a partnership, Grand Forks, N. Dak., and Armin F. Rohde, manager.

ALLEGED SHIPMENT: On or about April 17, 1946, from the State of North Dakota into the State of Minnesota.

LABEL, IN PART: "Salted Nut Roll," or "Long-Tom."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect excreta, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: October 4, 1946. Pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$500 against each defendant on count 1 and placed them both on probation for a period of 1 year on count 2.

11342. Adulteration of candy. U. S. v. Joe D. Lunsford and James R. Chumney (Jay Dee Candy Co.). Pleas of nolo contendere. Fines of \$250 against each individual defendant. (F. D. C. No. 20446. Sample Nos. 25207-H, 25208-H, 28899-H.)

INFORMATION FILED: January 23, 1947, Northern District of Texas, against Joe D. Lunsford and James R. Chumney, copartners, trading as the Jay Dee Candy Co., Dallas, Tex.

ALLEGED SHIPMENT: On or about August 20 and October 3, 1945, from the State of Texas into the States of Louisiana and Washington.

LABEL, IN PART: "A Sweet Surprise 5¢ Carmel-Nut Candy," "5¢ Honey Chile," or "Cap'n Billy 5¢ Spanish Nougat Bar."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, insect fragments, and rat or mouse hair; and, Section 402 (a) (4), (*Sweet Surprise* and *Honey Chile* candy) the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: January 29, 1947. Pleas of nolo contendere having been entered, the court imposed fines of \$250 against each of the defendants.

11343. Adulteration of candy. U. S. v. Louis Peters (Peters Icing Flower Co.). Pleas of guilty. Fine, \$900 and costs. (F. D. C. No. 20440. Sample Nos. 13788-H, 13789-H, 59705-H.)

INFORMATION FILED: August 22, 1946, Northern District of Ohio, against Louis Peters, trading as the Peters Icing Flower Co., Canton, Ohio.

ALLEGED SHIPMENT: On or about October 26 and November 1 and 3, 1945, from the State of Ohio into the States of West Virginia and Pennsylvania.

LABEL, IN PART: "Medallion Assorted Chocolate Package," or "Medallion Package Fancy Assorted Chocolates."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hair fragments, insect fragments, and larvae; and, Section 402 (a) (4), it had been