

DISPOSITION: February 25, 1950. Default decree of condemnation. The court ordered that the products be denatured and sold for use as animal feed, under the supervision of the Food and Drug Administration.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

16010. Adulteration of unpopped popcorn. U. S. v. 60 Bags * * *. (F. D. C. No. 28597. Sample No. 68351-K.)

LIBEL FILED: December 27, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about January 7, 1949, from Kansas City, Mo.

PRODUCT: 60 100-pound bags of unpopped popcorn at Seattle, Wash.

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 larvae and insect-damaged kernels. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 13, 1950. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

16011. Adulteration of rice. U. S. v. 35 Bags * * *. (F. D. C. No. 28678. Sample No. 10083-K.)

LIBEL FILED: January 11, 1950, Southern District of New York.

ALLEGED SHIPMENT: On or about April 30, 1949, from Houston, Tex.

PRODUCT: 35 100-pound bags of rice at New York, N. Y.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 10, 1950. Chum's, Inc., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, by brushing, blowing, and cleaning, under the supervision of the Food and Drug Administration. Salvaging operations resulted in the release of 3,252 pounds of rice fit for human consumption; the remainder was denatured and destroyed.

CONFECTIONERY

CANDY

16012. Adulteration of candy. U. S. v. Marie Di Giorgio (Di Giorgio Allegretto Co.), and Joseph Di Giorgio. Pleas of nolo contendere. Marie Di Giorgio fined \$10 and Joseph Di Giorgio fined \$100. (F. D. C. No. 27538. Sample Nos. 12584-K, 19374-K, 19854-K, 41617-K, 51727-K, 58699-K.)

INFORMATION FILED: November 23, 1949, Northern District of Illinois, against Marie Di Giorgio, trading as the Di Giorgio Allegretto Co., Chicago, Ill., and Joseph Di Giorgio, plant manager.

ALLEGED SHIPMENT: On or about March 17, 21, 22, and 31, 1949, from the State of Illinois into the States of Pennsylvania, Ohio, Tennessee, Wisconsin, and Indiana.

LABEL, IN PART: (Boxes or chests of candy) "Allegretto Chocolate Covered Cherries [or "Easter Greetings" or "Fruit and Nut Egg"]" or "Di Giorgio Allegretto."

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

DISPOSITION: April 19, 1950. Pleas of nolo contendere having been entered, the court fined Marie Di Giorgio \$10 and Joseph Di Giorgio \$100.

16013. Adulteration of candy. U. S. v. Dixie Candy Co. and Charles Smith. Pleas of nolo contendere. Each defendant fined \$200. (F. D. C. No. 28764. Sample Nos. 61067-K to 61069-K, incl., 61826-K, 63867-K.)

INFORMATION FILED: March 7, 1950, Western District of Tennessee, against the Dixie Candy Co., a partnership, Jackson, Tenn., and Charles Smith, a partner and plant manager.

ALLEGED SHIPMENT: On or about October 12, 17, 25, and 31, and November 3, 1949, from the State of Tennessee into the States of Missouri, Mississippi, and South Carolina.

LABEL, IN PART: "Dixie Peanut Fudge," "Dixie Fudge Bar," "Dixie Ball," "Dixie Cocoanut Roll," "Dixie Peco Bar," "Dixie's Cocoanut Bon Bon," "Dixie Peanut Roll," "Colonial Peanut Bar," or "Tri-Color Bar."

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

DISPOSITION: March 28, 1950. Pleas of nolo contendere having been entered, the court fined each defendant \$200.

16014. Adulteration of candy. U. S. v. The Southwestern Candy Co., a partnership, and Joseph P. Mims. Pleas of nolo contendere. Partnership fined \$350; individual defendant fined \$150. (F. D. C. No. 28761. Sample No. 61360-K.)

INFORMATION FILED: February 24, 1950, Western District of Tennessee, against The Southwestern Candy Co., Jackson, Tenn., and Joseph P. Mims, partner and general plant supervisor.

ALLEGED SHIPMENT: On or about October 24, 1949, from the State of Tennessee into the State of Missouri.

LABEL, IN PART: "Sno Ball."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the product had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 28, 1950. Pleas of nolo contendere having been entered, the court fined the partnership \$350 and the individual defendant \$150.

16015. Adulteration of candy. U. S. v. 19 Boxes, etc. (F. D. C. No. 28622. Sample Nos. 32147-K, 32152-K, 32153-K.)

LIBEL FILED: January 3, 1950, Northern District of California.

ALLEGED SHIPMENT: On or about December 1, 1949, by the Frederick & Nelson Candy Factory, from Seattle, Wash.