

and insect fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** September 11, 1952. Pleas of guilty having been entered, the court fined each defendant \$100.

**19212. Adulteration of unpopped popcorn. U. S. v. 10 Sacks \* \* \*. (F. D. C. No. 33115. Sample No. 40692-L.)**

**LIBEL FILED:** May 7, 1952, Western District of Washington.

**ALLEGED SHIPMENT:** On or about March 29, 1950, from Nampa, Idaho.

**PRODUCT:** 10 100-pound sacks of unpopped popcorn at Tacoma, 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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 17, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.

**19213. Misbranding of barley cereal and honey. U. S. v. 64 Cases, etc. (F. D. C. No. 33272. Sample Nos. 36966-L, 36967-L.)**

**LIBEL FILED:** May 27, 1952, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 6, 1951, and January 25, 1952, from Paterson, N. J., and Los Angeles, Calif.

**PRODUCT:** 64 16-ounce boxes of barley cereal and 26 5-ounce jars and 18 1-pound jars of honey, at New York, N. Y., in the possession of Lust's Health Food Bakery, Inc.

**RESULTS OF INVESTIGATION:** The articles were shipped in bulk, and upon receipt by the consignee, they were repacked and relabeled.

**LABEL, IN PART:** (Box) "Lust's Old Fashion Barley Health Cereal"; (jar) "Pure Nature-Sweet Orange Blossom Honey."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), certain statements on the labels of the articles were false and misleading. The statements represented and suggested that the barley cereal was effective to make pure blood, to aid digestion, to insure sleep, to promote health, to cure sickness, and to prevent nervousness and sleeplessness, and that the honey was effective in building blood. The articles were not effective for such purposes. The articles were misbranded in such respects while held for sale after shipment in interstate commerce.

The articles were alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3894.

**DISPOSITION:** October 2, 1952. Default decree of condemnation. The court ordered that a portion of the products be delivered to the Food and Drug Administration and that the remainder be destroyed.