

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

27673. Unpopped popcorn. (F.D.C. No. 46353. S. No. 25-476 T.)

QUANTITY: 49 cases of 18 pkgs. each, and 1 part case of 12 pkgs., each pkg. containing 2 bags and 1 bag attached to the outside of the pkg. and inserted into a cardboard sleeve, at Detroit, Mich.

SHIPPED: 10-2-61, from Bremen, Ind., by TV Time Foods, Inc.

LABEL IN PART: (Bag) "TV Time Hull-less Pop Corn With Popping Oil Everything's in the Package Ready to Pop Makes 3 Quarts * * * TV Time Foods, Bremen, Ind." and (cardboard sleeve) "Introductory Offer This Package Free with Purchase of Attached Twin Pak."

RESULTS OF INVESTIGATION: Examination showed that each bag was divided into two compartments, one containing unpopped popcorn and one containing a yellow, semi-solid substance having a creamy consistency. The net contents statements were not visible on the bags or package, being blocked from view by the bag attached to the outside of the package and cardboard sleeve on the third bag.

LIBELED: 10-6-61, E. Dist. Mich.

CHARGE: 403(a)—when shipped, the label of the article bore false and misleading statements which represented and suggested that the article was unusually nutritious and supplied an unusually large amount of protein in a quantity which was low in calories, and that the article was adequate and effective to promote body building; and 403(f)—the information required by 403(e) (2) to appear on the label, namely, an accurate statement of the quantity of contents, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 2-28-62. Consent—delivered to a charitable institution.

27674. Unpopped popcorn. (F.D.C. No. 46270. S. Nos. 61-241/2 R.)

QUANTITY: 9 100-lb. bags of white popcorn; 24 100-lb. bags of yellow popcorn; 15 cases, 12 16-oz. pkgs. each; 49 cases, 12 32-oz. pkgs. each; and 14 cases, 6 4-lb. pkgs. each, at Seattle, Wash., in possession of Hullin Terminal Warehouse.

SHIPPED: Between 4-27-59 and 10-29-59, from Council Bluffs, Iowa.

LIBELED: 8-22-61, W. Dist. Wash.

CHARGE: 402(a) (3)—contained insects, insect larvae, insect excreta, and webbing; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 1-16-62. Default—destruction.

27675. Rice. (F.D.C. No. 46593. S. Nos. 47-323/4 T.)

QUANTITY: 44 cases, 24 2-lb. ctns. each, of white rice; and 17 cases, 20 12-oz. ctns. each, of brown rice, at Hazelwood, Mo.

SHIPPED: 8-30-61 and 9-7-61, from Memphis, Tenn., by River Brand Rice Mills, Inc.

LABEL IN PART: (Ctn.) "River Brand Fluffy White Rice * * * Packers: River Brand Rice Mills, Inc. New York—Houston—Memphis"; and (ctn.) "River Brand Natural Brown Rice * * * Packers: River Brand Rice Mills, Inc. New York—Houston—Memphis."