

9833. Adulteration of popcorn and pecan meats. U. S. v. Morris Rosenberg Co., and Morris Rosenberg. Pleas of nolo contendere. Fines, \$500 and \$200 against company and individual, respectively. (F. D. C. No. 17802. Sample Nos. 31039-H, 32027-H.)

INFORMATION FILED: March 4, 1946, Southern District of California, against Morris Rosenberg Co., a partnership, Los Angeles, Calif., and Morris Rosenberg, a member of the partnership.

ALLEGED SHIPMENT: On or about February 24 and March 3, 1945, from the State of California into the States of Arizona and Texas.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence, in the popcorn, of rodent pellets and rodent hairs, and, in the pecan meats, of rodent hair fragments, insects, insect parts and fragments, larvae, flies, insect eggs, and grain beetles; and, Section 402 (a) (4), the articles had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 20, 1946. Pleas of nolo contendere having been entered, the company was fined \$250 on each of the 2 counts of the information, and the individual defendant was fined \$100 on each of the 2 counts.

9834. Adulteration of popcorn. U. S. v. 800 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19817. Sample No. 70431-H.)

LIBEL FILED: May 2, 1946, Southern District of California.

ALLEGED SHIPMENT: On or about October 11, 1945, by the J. A. McCarthy Seed Co., from Durant, Okla.

PRODUCT: 800 100-pound bags of popcorn at Los Angeles, Calif.

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 weevils.

DISPOSITION: May 31, 1946. Acme Food Products, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. After cleaning operations the fit portion was separated from the unfit, and the latter was used in the manufacture of pigeon feed.

9835. Adulteration of popcorn. U. S. v. 80 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19878. Sample No. 50979-H.)

LIBEL FILED: May 16, 1946, District of Minnesota.

ALLEGED SHIPMENT: On or about February 28, 1946, from Woodward, Iowa.

PRODUCT: 80 100-pound bags of popcorn at Wayzata, Minn., in possession of the Minnetonka Popcorn Co. The product had been stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product contained rodent-gnawed kernels and rodent hairs.

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: August 5, 1946. The Minnetonka Popcorn Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and brought into compliance with the law, under the supervision of the Federal Security Agency.

9836. Adulteration of popcorn. U. S. v. 65 Bags of Popcorn. Default decree of condemnation and destruction. (F. D. C. No. 19684. Sample No. 65308-H.)

LIBEL FILED: On or about April 25, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about June 25, 1945, from Philadelphia, Pa.

PRODUCT: 65 100-pound bags of popcorn at Atlantic City, N. J., in possession of the Mason Co., Inc. The product was stored under insanitary conditions after shipment. Examination showed the presence of rodent pellets and rodent- and insect-damaged kernels. Some of the bags were rodent-gnawed, and rodent excreta was observed on them.