

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

DISPOSITION: May 14, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$400 against the defendant on count 1 and sentenced him to 2 years' probation on count 2.

10928. Adulteration of noodle products. U. S. v. LaPremiata Macaroni Corp. and Vincent J. Cuneo. Pleas of nolo contendere. Corporation fined \$1,000 and costs; individual defendant fined \$100. (F. D. C. No. 19545. Sample Nos. 9663-H, 10393-H, 56056-H, 56068-H.)

INFORMATION FILED: May 14, 1946, Western District of Pennsylvania, against the LaPremiata Macaroni Corp., Connellsville, Pa., and Vincent J. Cuneo, treasurer of the corporation.

ALLEGED SHIPMENT: Between the approximate dates of November 7 and 30, 1945, from the State of Pennsylvania into the States of New York, Ohio, and West Virginia.

LABEL, IN PART: "LaPremiata Macaroni Products Egg Specialties [or "LaPremiata * * * Egg Noodles"]."

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

DISPOSITION: October 30, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the corporation was fined \$1,000 and costs, and the individual defendant was fined \$100.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

10929. Adulteration of popcorn. U. S. v. Wernimont Grain Co. and Joe Wernimont. Pleas of guilty. Partnership fined \$400 and costs. (F. D. C. No. 19519. Sample Nos. 13097-H, 32059-H.)

INFORMATION FILED: April 3, 1946, Northern District of Iowa, against the Wernimont Grain Co., a partnership, Auburn, Iowa, and Joe Wernimont, a partner.

ALLEGED SHIPMENT: On or about April 2 and July 9, 1945, from the State of Iowa into the States of Ohio and California.

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 rodent pellets, rodent-gnawed kernels, rodent hairs, and insect fragments, and (portion) of a decomposed substance by reason of the presence of moldy and decomposed kernels.

DISPOSITION: May 7, 1946. Pleas of guilty having been entered, the partnership was fined \$400 and costs. No fine was imposed against the individual.

10930. Adulteration of popcorn. U. S. v. 126 Bags * * *. (F. D. C. No. 19243. Sample No. 7336-H.)

LIBEL FILED: February 26, 1946, District of New Jersey.

ALLEGED SHIPMENT: On or about August 23, 1945, by the Barteldes Seed Co., from Lawrence, Kans.

PRODUCT: 126 bags, each containing approximately 100 pounds, of popcorn at Newark, N. J.

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: August 19, 1946. The Barteldes Seed Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be ground and chopped, or denatured, under the supervision of the Food and Drug Administration, so that it could not be disposed of for human consumption.