

**PRODUCT:** 190 75-pound bags of brewers flakes at Red Bluff, Calif., in possession of the U. S. Brewing Corp. The product was 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 pellets.

**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:** October 7, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**11334. Adulteration of hops. U. S. v. 360 Bales \* \* \*. (F. D. C. No. 20428. Sample No. 48232-H.)**

**LIBEL FILED:** July 30, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about October 2, 11, and 15, and November 17, 1945, by John I. Haas, Inc., from Buena and Toppenish, Wash.

**PRODUCT:** 360 200-pound bales of hops at Golden, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of aphids.

**DISPOSITION:** October 3, 1946. The Adolph Coors Co., Golden, Colo., and John I. Haas, Inc., Washington, D. C., claimants, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for the segregation of the fit portion, under the supervision of the Food and Drug Administration.

**11335. Adulteration of farina and popcorn. U. S. v. 44 Bags, etc. (F. D. C. No. 21115. Sample Nos. 19387-H, 19388-H.)**

**LIBELS FILED:** September 28, 1946, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about November 21, 1945, and March 2, 1946, from Humboldt, Nebr., and Atchison, Kans.

**PRODUCT:** 44 50-pound bags of farina and 100 100-pound bags of popcorn at Cedar Falls, Iowa, in possession of Diamond Brothers. The articles were stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and live insects and rodent excreta were observed on them. Examination showed that the farina contained live insects and webbing and that the popcorn contained live insects and rodent excreta.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** October 22, 1946. Diamond Brothers, claimant, having consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

**11336. Adulteration of popcorn. U. S. v. 15 Bags \* \* \*. (F. D. C. No. 21144. Sample No. 23596-H.)**

**LIBEL FILED:** October 2, 1946, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about October 4, 1945, by the J. A. McCarty Seed Co., from Evansville, Ind.

**PRODUCT:** 15 bags of popcorn at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, and insect fragments.

**DISPOSITION:** October 25, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold to be denatured, as directed by the Federal Security Agency, so that it could not be disposed of for human consumption.

**11337. Adulteration of shelled popcorn. U. S. v. 7 Barrels, etc. (and 3 other seizure actions): (F. D. C. Nos. 20658, 20659, 21869, 22336. Sample Nos. 19784-H, 47734-H, 50994-H, 72490-H.)**

**LIBELS FILED:** August 14 and December 19, 1946, and January 8, 1947, Western District of Wisconsin and District of Colorado.

**ALLEGED SHIPMENT:** On or about September 5, 1945, and between the approximate dates of January 4 and July 5, 1946, by the Central Popcorn Co., from Schaller, Iowa, and Minneapolis, Minn.

**PRODUCT:** Shelled popcorn. 7 600-pound barrels and 26 100-pound bags at Stevens Point, 5 100-pound bags at Eau Claire, Wis., and 387 100-pound bags and 44 100-pound bags at Denver, Colo.

**LABEL, IN PART:** (Portion) "South American Shelled Popcorn."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

**DISPOSITION:** On September 4, 1946, and January 6, 9, and 30, 1947, Gladys R. Mickey, Stevens Point, Wis., appeared as claimant for the Stevens Point lot, and Cooper Foundation, Lincoln, Nebr., and the Atlas Theater Corp., Denver, Colo., appeared as claimants for the Denver lots. No claimant having appeared for the Eau Claire lot, and the claimants for the other lots having consented to the entry of decrees, judgments of condemnation were entered. It was ordered that the Eau Claire lot be delivered to a public institution, for use as animal feed, and that the other three lots be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**11338. Adulteration of rice. U. S. v. 212 Bags \* \* \*. (F. D. C. No. 20621. Sample No. 47723-H.)**

**LIBEL FILED:** August 13, 1946, District of Colorado.

**ALLEGED SHIPMENT:** On or about October 4, 1945, by Hills Farms, from Dos Palos, Calif.

**PRODUCT:** 212 100-pound bags of rice at Denver, Colo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of beetles, larvae, rodent pellets, and rodent hairs.

**DISPOSITION:** On September 6, 1946, The Denver Brewing Co., Denver, Colo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for cleaning to facilitate the removal of all filth, under the supervision of the Food and Drug Administration.

On December 16, 1946, an amended decree was entered ordering the product sold for use as animal feed.

**11339. Adulteration of wheat. U. S. v. 90,530 Pounds \* \* \*. (F. D. C. No. 20374. Sample No. 56462-H.)**

**LIBEL FILED:** On or about July 11, 1946, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about June 18, 1946, by General Mills, Inc., from Wichita, Kans.

**PRODUCT:** 90,530 pounds of wheat at Kansas City, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article was unfit for food by reason of being contaminated with ferric ferrocyanide (Prussian blue).

**DISPOSITION:** July 15, 1946. The Atchison, Topeka and Santa Fe Railway Co. having appeared as claimant, judgment was entered ordering that the product be delivered to the claimant to be sold by it, under the supervision of the Food and Drug Administration. The product was subsequently reconditioned and mixed with other ingredients for manufacture into animal feed.

## CHOCOLATE, SUGAR, AND RELATED PRODUCTS

### CANDY

**11340. Adulteration of candy. U. S. v. The D. L. Clark Co. and Harold S. Clark. Pleas of nolo contendere. Fines of \$1,000 and costs against corporate defendant and \$1.00 and costs against individual defendant. (F. D. C. No. 20454. Sample Nos. 9804-H to 9806-H, incl., 10373-H, 10381-H.)**

**INFORMATION FILED:** July 30, 1946, Western District of Pennsylvania, against the D. L. Clark Co., a corporation, Pittsburgh, Pa., and Harold S. Clark, president.