

21607. Adulteration of flour and wheat. U. S. v. 626 Bags, etc. (F. D. C. No. 36797. Sample Nos. 88624-L to 88627-L, incl.)

LIBEL FILED: May 18, 1954, District of Minnesota.

ALLEGED SHIPMENT: On or about February 10, March 18 and 30, and April 15 and 21, 1954, from Grand Forks and Valley City, N. Dak., and Alton, Ill.

PRODUCT: 626 50-pound bags and 69 100-pound bags of flour and 9 100-pound bags of wheat at Minneapolis, Minn., in possession of the Russell-Miller Milling Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent urine; and Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 1, 1954. The Russell-Miller Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for segregation of the unfit portion and denaturing of that portion for use as animal feed. As a result of the segregation operations, 350 bags of flour and the entire 9-bag lot of wheat were found unfit and were denatured for use as animal feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

21608. Adulteration of unpopped popcorn. U. S. v. 199 Cases * * *. (F. D. C. No. 36782. Sample No. 88727-L.)

LIBEL FILED: July 8, 1954, Northern District of Iowa.

ALLEGED SHIPMENT: On or about May 12, 1954, by the Northwest Popcorn & Seed Co., from Delaware, Ohio.

PRODUCT: 199 cases, each containing 5 tins, of unpopped popcorn at Lake View, Iowa.

LABEL, IN PART: (Tin) "Net Weight Unpopped Corn 10 Lbs. * * * Manley Best Jumbo 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 rodent-gnawed kernels, insect parts, and rodent hairs; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 13, 1954. Default decree of condemnation. The court ordered that the product be sold for use as animal feed or be delivered to a charitable institution for such use.

21609. Adulteration of unpopped popcorn. U. S. v. 9 Cases * * *. (F. D. C. No. 36783. Sample No. 83132-L.)

LIBEL FILED: July 12, 1954, Western District of Michigan.

ALLEGED SHIPMENT: On or about May 17, 1954, by the Northwest Popcorn & Seed Co., from Delaware, Ohio.

PRODUCT: 9 cases, each containing 24 cans, of unpopped popcorn at Manistee, Mich.

*See also No. 21607.

LABEL, IN PART: (Can) "Big Pop Yellow [Or White] Hulless Pop Corn Guaranteed To Pop Net Wt. 10 Ounces."

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 rodent-gnawed kernels, insect-tunneled kernels, rodent excreta, rodent hairs, and insect parts, and of a decomposed substance by reason of the presence of moldy kernels; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 9, 1954. Default decree of condemnation and destruction.

21610. Adulteration of unpopped popcorn. U. S. v. 3 Cartons * * *. (F. D. C. No. 36753. Sample No. 63876-L.)

LABEL FILED: May 28, 1954, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about April 3 and 7, 1954, by the Excel Popcorn Co., from Fairfield, Iowa.

PRODUCT: 3 cartons, each containing 24 packages, of unpopped popcorn at Kirksville, Mo.

LABEL, IN PART: (Package) "Top Value * * * Hy-Brid Pop Corn Guaranteed To Pop Net Weight 1 Lb."

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 rodent-gnawed kernels, rodent excreta, and rodent urine; and, Section 402 (a) (4), the article had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 14, 1954. Default decree of condemnation and destruction.

21611. Adulteration of rice. U. S. v. 32 Bags * * *. (F. D. C. No. 36786. Sample Nos. 85977-L, 85978-L.)

LABEL FILED: July 13, 1954, District of North Dakota.

ALLEGED SHIPMENT: On or about February 24, 1954, from De Witt, Ark.

PRODUCT: 32 100-pound bags of rice at Grand Forks, N. Dak., in possession of the Nash-Finch Co.

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 rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: July 27, 1954. The Nash-Finch Co. having admitted the allegations of the libel and consented to the destruction of the product, judgment of condemnation was entered and the court ordered that the product be destroyed.

21612. Adulteration of rice. U. S. v. 25 Bags * * *. (F. D. C. No. 36789. Sample No. 43175-L.)

LABEL FILED: July 16, 1954, Northern District of California.

ALLEGED SHIPMENT: On or about May 7, 1954, from Abbeville, La.

PRODUCT: 25 100-pound bags of rice at San Jose, Calif.

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 rodent urine. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: August 10, 1954. Default decree of condemnation and destruction.