DISPOSITION: August 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On August 28, 1944, an amended order was entered ordering that the product be sold to an animal feeder.

6643. Adulteration of rolled oats. U. S. v. 20 Bags of Rolled Oats. Default decree of condemnation and destruction. (F. D. C. No. 11950. Sample No. 35685–F.)

LIBEL FILED: March 3, 1944, Western District of South Carolina.

ALLEGED SHIPMENT: On or about January 15, 1944, by the Brown-Rogers-Dixson Co., from Atlanta, Ga.

PRODUCT: 20 100-pound bags of rolled oats at Spartanburg, S. C.

This product had been stored under insanitary conditions in the plant of the shipper.

LABEL, IN PART: "Buckeye [or "Pawnee Brand"] Rolled Oats."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hair, and urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: April 5, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6644. Adulteration of popcorn. U. S. v. 363 Bags of Popcorn (and 2 other seizure actions against popcorn). Decrees of condemnation. One lot ordered denatured and sold for animal feed; remaining lots ordered released under bond. (F. D. C. Nos. 13072, 13665, 13666. Sample Nos. 80538–F, 89802–F, 89803–F.)

LIBELS FILED: July 27 and September 13, 1944, Eastern District of Arkansas and Western District of Tennessee.

ALLEGED SHIPMENT: From on or about November 18, 1943, to June 10, 1944, by G. C. Atkins, from West Terre Haute, Ind., and Shawneetown, Ill.

PRODUCT: Popcorn: 375 bags at Little Rock, Ark., and 392 bags at Memphis, Tenn., each bag containing 100 pounds.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, larvae, insect fragments, and beetles.

DISPOSITION: September 15, 1944. G. C. Atkins, claimant for the Memphis lots, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond to be cleaned in order to eliminate all unfit material, under the supervision of the Federal Security Agency. No claimant having appeared for the Little Rock lot, judgment of condemnation was entered and that lot was ordered denatured and sold for animal feed, under the supervision of the Federal Security Agency.

6645. Adulteration of rice. U. S. v. 36 Bags and 26 Bags of Rice. Decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 12069, 12074. Sample Nos. 51874–F, 51875–F.)

LIBELS FILED: March 24 and 25, 1944, District of Massachusetts.

ALLEGED SHIPMENT: From on or about November 10, 1942, to February 27, 1943, from Abbeville, La., and Albany, N. Y.

PRODUCT: 62 100-pound bags of rice at Pittsfield, Mass., in possession of the Butler Flour Co.

The product was stored under insanitary conditions after shipment. Rodent excreta and urine stains were noted on the bags, and examination of samples of the rice showed the product to be contaminated with rodent urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product 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: April 20, 1944. Cases consolidated. The Butler Flour Co., Inc., Pittsfield, Mass., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured for use other than for human food, under the supervision of the Food and Drug Administration.