

ALLEGED SHIPMENT: On or about May 2 and July 18 and 26, 1951, from Sherman, Tex., Arkansas City, Kans., and Shawnee, Okla.

PRODUCT: 48 bags, each containing 50 pounds, of flour at Ruston, La.

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

DISPOSITION: January 28, 1952. Default decree of condemnation. The court ordered that the marshal destroy the product or dispose of it otherwise, in compliance with the law. The product was delivered to a public institution, for use as hog feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

18661. Adulteration of unpopped popcorn. U. S. v. 96 Bags * * *. (F. D. C. No. 31481. Sample No. 29463-L.)

LIBEL FILED: August 17, 1951, Western District of Washington.

ALLEGED SHIPMENT: On or about July 3, 1951, from Denver, Colo.

PRODUCT: 96 bags, each containing 100 pounds, of unpopped popcorn at Seattle, Wash.

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

DISPOSITION: December 12, 1951. Manley, Inc., Kansas City, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reconditioning by sorting, cleaning, and segregating the unfit portion, under the supervision of a representative of the Federal Security Administrator. Reconditioning operations resulted in the denaturing and disposal of 250 pounds of the product for use as animal feed.

18662. Adulteration of rice. U. S. v. 36 Cases, etc. (F. D. C. No. 31610. Sample Nos. 1434-L, 1531-L to 1533-L, incl.)

LIBEL FILED: August 10, 1951, Northern District of Georgia.

ALLEGED SHIPMENT: On or about May 18, August 19, September 30, and December 1, 1950, and May 8, 1951, from Beaumont, Tex., Abbeville and Rayne, La., and Stuttgart, Ark.

PRODUCT: Rice. 36 cases, each containing 36 1-pound boxes; 36 bales, each containing 30 2-pound bags; 19 cases, each containing 48 12-ounce boxes; and 100 cases, each containing 36 1-pound boxes, at Newnan, Ga.

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

DISPOSITION: On October 9, 1951, a default decree of condemnation was entered against the 36-case lot and 36-bale lot, and the court ordered that these lots be delivered to a Federal institution, for use as animal feed. On September 27, 1951, the H. V. Kell Co., Newnan, Ga., claimant for the 19-case lot and the 100-case lot, having consented to the entry of a decree, judgment of condem-

nation was entered against these lots and the court ordered that they be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

Segregation of the product was accomplished by a remilling operation. During the course of this operation, the product became commingled with another lot of rice being remilled. (See the following notice of judgment, No. 18663.) The total amount in both lots delivered for remilling consisted of 9,284 pounds, and the amount of rice fit for human consumption which was recovered from the remilling operations consisted of 8,650 pounds.

18663. Adulteration of rice. U. S. v. 50 Bags * * *. (F. D. C. No. 31923. Sample No. 22153-L.)

LABEL FILED: October 22, 1951, Northern District of Alabama.

ALLEGED SHIPMENT: On or about September 8, 1951, from Houston, Tex.

PRODUCT: 50 100-pound bags of rice at Birmingham, Ala.

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

DISPOSITION: November 27, 1951. Adolphus Rice Mills, Inc., Houston, Tex., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration.

Segregation of the product was accomplished by a remilling operation. During the course of this operation, the product became commingled with another lot of rice being remilled. (See the preceding notice of judgment, No. 18662.) The total amount in both lots delivered for remilling consisted of 9,284 pounds, and the amount of rice fit for human consumption which was recovered from the remilling operation consisted of 8,650 pounds.

18664. Adulteration of puffed wheat, puffed rice, and pearl barley. U. S. v. Purity Mills, Inc., Ray J. Peterson, and Marvin R. Peterson. Pleas of guilty. Joint fine of \$1,000, plus costs; \$800 of fine suspended. (F. D. C. No. 31545. Sample Nos. 7151-L, 7768-L, 10798-L, 12891-L, 21646-L.)

INFORMATION FILED: October 15, 1951, Northern District of Illinois, against Purity Mills, Inc., Dixon Ill., and Ray J. Peterson and Marvin R. Peterson, president and secretary-treasurer, respectively, of the corporation.

ALLEGED SHIPMENT: On or about March 13, 24, 27, and 28, and April 2, 1951, from the State of Illinois into the States of Pennsylvania, New York, Indiana, Colorado, and Louisiana.

LABEL, IN PART: "Cook Book Puffed Wheat * * * Packed for and Distributed Exclusively By Cook Coffee Company Cleveland"; "Giant Brand Puffed Rice [or "Munch Brand Puffed Wheat"] Purity Mills, Inc., Dixon, Ill."; and "E-Z Cooker Brand Quality Pearl Barley * * * Packed by H. C. Knoke and Company, Chicago."

NATURE OF CHARGE: Adulteration, Section 402 (a) (4), the articles had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth; and, Section 402 (a) (3), (pearl barley only) the article consisted in part of a filthy substance by reason of the presence of insects and insect fragments.