

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.