

**9036. Adulteration of popcorn. U. S. v. 18 Bags of Popcorn. Default decree of condemnation and destruction. (F. D. C. No. 15825. Sample No. 17427-H.)**

**LIBEL FILED:** April 7, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 19 and October 23, 1944, by the R. M. Tuttle Popcorn Co., from Spencer, Iowa.

**PRODUCT:** 18 100-pound bags of popcorn at Rockford, Ill.

**LABEL, IN PART:** "Flaky-Burst Brand White Dwarf Hull-less Popcorn."

**NATURE OF CHARGE:** 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 pellets; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** October 23, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9037. Adulteration of popcorn. U. S. v. 165 Bags of Popcorn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15822. Sample No. 18720.)**

**LIBEL FILED:** March 31, 1945, District of Minnesota.

**ALLEGED SHIPMENT:** On or about January 15, 1945, from Loveland, Colo.

**PRODUCT:** 165 110-pound bags of popcorn at Minneapolis, Minn., in the possession of the Pophitt Cereal Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta pellets and rodent hairs.

**NATURE OF CHARGE:** 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:** June 8, 1945. The Pophitt Cereal Co., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

**9038. Adulteration of popcorn. U. S. v. 52 Bags of Popcorn. Default decree of condemnation. Product ordered sold. (F. D. C. No. 16190. Sample No. 24431-H.)**

**LIBEL FILED:** May 17, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about December 16, 1944, from Lake View, Iowa.

**PRODUCT:** 52 100-pound bags of popcorn at New Orleans, La., in the possession of the Commercial Terminal Warehouse Company, Inc. The product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the product contained rodent pellets, rodent hair fragments, and rodent-damaged kernels.

**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:** November 9, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that it be denatured and disposed of for stock feed or used in the manufacture of alcohol.

**9039. Misbranding of candied popcorn. U. S. v. 163 Cases of Candied Popcorn. Consent decree ordering the release of the product under bond. (F. D. C. No. 16389. Sample No. 26138-H.)**

**LIBEL FILED:** June 5, 1945, District of New Mexico.

**ALLEGED SHIPMENT:** On or about March 10, 17, and 24, 1945, by the Platter-Neff Co., from El Paso, Tex.

**PRODUCT:** 163 cases, each containing 60 packages, of candied popcorn at Albuquerque, N. Mex. The product was short-weight.

**LABEL, IN PART:** "S and H Korn Dulsay 10¢ Net weight 3¼ Oz. S & H Products Co., El Paso, Texas."