

grits were contaminated with insect excreta and were insect-infested. The barley had been shipped to the defendant on or about July 28, 1945, and the grits on or about September 6, 1945, from Manitowoc, Wis., and Mount Vernon, Ind., respectively.

**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 weevils, ants, flour beetles, grain beetles, an Indian meal moth, insect larvae and pupae, and insect webbing and cast skins; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** July 29, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$100 on each count, a total fine of \$200.

**11156. Adulteration of popcorn and potato chips. U. S. v. Denver Bar Supply Co. and Henry W. Levine. Pleas of nolo contendere. Fines, \$20 against the partnership defendant and \$600 against the individual defendant. (F. D. C. No. 20137. Sample Nos. 30318-H, 30319-H, 47307-H, 47309-H.)**

**LIBEL FILED:** June 11, 1946, District of Colorado, against the Denver Bar Supply Co., a partnership, Denver, Colo., and Henry W. Levine, manager.

**ALLEGED SHIPMENT:** On or about October 16 and December 11 and 13, 1945, from the State of Colorado into the States of New Mexico, Montana, and Wyoming.

**LABEL, IN PART:** "Toasted Potato Chips Denver Potato Chip Co. Denver, Colo.," or "Duke's Better Flavor Pop Corn Denver Bar Supply Co. Denver, Colo."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of rodent hair, setae, human hair, green particles (unidentified), a metallic-like substance, carbonaceous material, fibers, plant tissue, a mite, feather barbules, and nondescript dirt; and, Section 402 (a) (4), they had been prepared, packed, and held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** August 23, 1946. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed total fines of \$20 against the partnership and \$600 against the individual.

**11157. Adulteration of popcorn. U. S. v. 5 Bags, 7 Cans, and 2 Drums \* \* \*. (F. D. C. Nos. 20334, 20406. Sample Nos. 9941-H, 60151-H.)**

**LIBELS FILED:** June 17 and July 16, 1946, Western District of New York and Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 10 and June 5, 1946, from Norwalk and North Fairfield, Ohio, respectively, by Valentine Tidswell & Sons.

**PRODUCT:** 5 100-pound bags, 7 50-pound cans, and 1 300-pound drum and 1 100-pound drum of popcorn at Niagara Falls, N. Y., and Bradford, Pa.

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

**DISPOSITION:** July 15 and September 17, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**11158. Adulteration of shelled popcorn. U. S. v. 200 Bags \* \* \*. (F. D. C. No. 19824. Sample No. 51069-H.)**

**LIBEL FILED:** May 6, 1946, District of Minnesota.

**ALLEGED SHIPMENT:** On or about January 22 and February 2, 1946, from Schaller, Iowa.

**PRODUCT:** 200 100-pound bags of shelled popcorn at Minneapolis, Minn., in possession of the Sunrise Food Products Co. The product was stored under insanitary conditions after shipment. Rodent excreta and urine stains were observed on the bags, and examination showed that the product had a musty, soapy, obnoxious odor. The product was contaminated with filth derived from slop water used in washing floor and steps of premises where it was stored.