

26134. Raisin bran muffin mix, protein flakes (cereal), whole wheat flakes (cereal), and corn muffin mix. (F.D.C. No. 42419. S. Nos. 25-265 P, 25-269 P, 25-275 P, 27-505 P.)

INFORMATION FILED: 8-17-59, N. Dist. Iowa, against Horace E. Brickner, t/a S. E. Brickner & Son, Decorah, Iowa.

ALLEGED VIOLATION: Between 9-9-58 and 10-9-58, the defendant caused quantities of the above named products, while held for sale after shipment in interstate commerce, to be held in a building that was accessible to rodents, insects, and birds, and to be exposed to contamination by rodents, insects, and birds, which acts resulted in such products being adulterated.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 8-17-59. \$600 fine.

26135. Bread mix, unpopped popcorn, and dried navy beans. (F.D.C. No. 43105. S. Nos. 17-499 P, 17-527/8 P.)

INFORMATION FILED: 8-3-59, N. Dist. Ohio, against David Kirk Sons Co., a corporation, Findlay, Ohio, and Robert W. Kirk, president.

ALLEGED VIOLATION: Between 10-25-56 and 1-16-59, the defendants caused quantities of the above-mentioned products, while held for sale after shipment in interstate commerce, to be held in a building accessible to rodents and insects, and to be exposed to contamination by rodents and insects, which acts resulted in the products being adulterated.

CHARGE: 402(a)(3)—the bread mix and the unpopped popcorn contained live and dead insects; and 402(a)(4)—all products were held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 8-14-59. Fine of \$1,500 against the corporation; \$300 against the individual.

DAIRY PRODUCTS

BUTTER

26136. Butter. (F.D.C. No. 40833. S. Nos. 37-142 P, 37-144/6 P.)

QUANTITY: 90 65-lb. cubes at St. Louis, Mo.

SHIPPED: A number of cans of cream were shipped between 7-25-58 and 7-27-58, from Arkansas, Illinois, Indiana, Kentucky, Mississippi, and Tennessee.

RESULTS OF INVESTIGATION: Examination showed that the cream was used in the manufacture of the butter under seizure.

LIBELED: 8-14-58, E. Dist. Mo.

CHARGE: 402(a)(3)—contained a decomposed substance when shipped.

DISPOSITION: 8-26-58. Consent—claimed by Paul A. Schulze Co., St. Louis, Mo., and converted into butter oil.

MILK

26137. Nonfat dry milk. (F.D.C. No. 44150. S. No. 56-754 P.)

QUANTITY: 75 ctns., 24 6½-oz. boxes each, at Carrollton, Ga.

SHIPPED: 10-2-59, from Birmingham, Ala.