

caused the flour to be held in a building accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the flour being adulterated.

CHARGE: 402(a)(3)—contained rodent urine, rodent excreta, and a rodent nest; and 402(a)(4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 9-8-61. \$500 fine.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

27866. Rice and flour. (F.D.C. No. 44646. S. Nos. 64-193/5 P.)

INFORMATION FILED: 3-1-61, Dist. Mass., against Samuel Kurr, t/a Samuel Kurr & Co., Boston, Mass.

ALLEGED VIOLATIONS: Between 2-2-59 and 10-15-59, while quantities of rice and flour were being held for sale after shipment in interstate commerce, the defendant caused the articles 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 articles being adulterated.

CHARGE: 402(a)(3)—the articles contained moths and moth larvae, a portion of the rice contained rodent urine and excreta; and 402(a)(4)—the articles were held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-9-61. \$1,000 fine.

27867. Rice. (F.D.C. No. 47231. S. No. 16-067 T.)

QUANTITY: 42 25-lb. bags at Kingsport, Tenn., in possession of Frank's Food Co.

SHIPPED: 10-3-61 and 12-1-61, from Abbeville, La.

LIBELED: 3-8-62, E. Dist. Tenn.

CHARGE: 402(a)(3)—contained rodent urine and rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 5-9-62. Default—destruction.

27868. Unpopped popcorn and raisins. (F.D.C. No. 46378. S. Nos. 19-092/5 R, 19-098/100 R, 51-582/4 R.)

INFORMATION FILED: 11-3-61, Dist. N. Mex., against Ray C. Shockey, t/a Ray's Bean Co., Mountainair, N. Mex.

ALLEGED VIOLATIONS: Between 11-20-58 and 2-8-61, while quantities of unpopped popcorn and raisins were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building accessible to and infested with insects and rodents and to be exposed to contamination by insects and rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—the popcorn contained insects, insect webbing, insect fragments, insect-damaged kernels, insect excreta pellets, mouse excreta pellets, a dead mouse, dirt, moldy kernels and mouse-damaged kernels; the raisins contained insects; and 402(a)(4)—the articles were held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-14-61. \$100 fine.