

**ALLEGED SHIPMENT:** From on or about January 26 to October 9, 1943, from East Buffalo, N. Y., New Ulm, Minn., Spokane, Wash., and Black Rock, N. Y.

**PRODUCT:** 173 bags of flour in the possession of the Norman Weisberg Co., Lowell, Mass.

**VIOLATIONS CHARGED:** 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 might have become contaminated with filth.

This product was stored under insanitary conditions after shipment. Some of the bags had been gnawed by rodents, and rat pellets were found on some of the bags. Examination of samples showed contamination with rodent urine and some bags contained larvae, insect fragments, insect excreta, and webbing.

**DISPOSITION:** January 28, 1944. The cases were consolidated. The Norman Weisberg Co. having appeared as claimant and having admitted the allegations of the libel, the product was condemned and released under bond for segregation and denaturing of all the contaminated bags of flour, for use as animal feed.

**5819. Adulteration of flour. U. S. v. 193 Bags of Flour. Default decree of condemnation and destruction. Amended decree ordering the product sold for use as animal feed.** (F. D. C. No. 11157. Sample No. 49828-F.)

**LIBEL FILED:** November 20, 1943, Western District of New York.

**ALLEGED SHIPMENT:** On or about February 3, 1943, from Leavenworth, Kans.

**PRODUCT:** 193 24½-pound bags of flour in possession of the C. D. Kenny Co., Buffalo, N. Y.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of filthy substances by reason of the presence of rodent excreta and rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

The flour was stored, after shipment, under insanitary conditions. Rodent pellets and urine stains were found on the bags and a portion of the bags had been gnawed by rodents. Examination of samples showed that the product contained rodent excreta and had been contaminated with rodent urine.

**DISPOSITION:** January 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On February 23, 1944, the decree was amended to provide that the product be sold to the highest bidder and denatured for use as animal feed, under the supervision of the marshal.

**5820. Adulteration of enriched flour. U. S. v. 463 Bags of Flour. Default decree of condemnation. Product ordered denatured and sold to the highest bidder for use as hog feed.** (F. D. C. No. 11153. Sample No. 23491-F.)

**LIBEL FILED:** November 19, 1943, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 26, 1943, from Springfield, Ohio.

**PRODUCT:** 463 bags of flour at Huntingdon, Pa., in possession of the Reeves Parvin Co.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of mouse pellets, and evidences of rodent infestation; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

The flour was stored under insanitary conditions after shipment. Many of the bags had been gnawed by rodents, and rodent excreta and urine stains were noted on the bags. Examination of samples showed that the product contained mouse pellets and a large amount of chewed paper.

**DISPOSITION:** January 14, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured under the supervision of the marshal, and sold to the highest bidder for use as hog feed.

**5821. Adulteration of flour. U. S. v. 131 Bags of Flour. Default decree of condemnation. Product ordered delivered to an institution, for use other than human consumption.** (F. D. C. No. 11148. Sample No. 56850-F.)

**LIBEL FILED:** November 20, 1943, District of Connecticut.

**ALLEGED SHIPMENT:** On or about April 20, 1943, from Bangor, Pa.

**PRODUCT:** 131 98-pound bags of flour, in possession of the Frisbie Pie Co., Bridgeport, Conn.

**VIOLATIONS CHARGED:** 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, insects, and insect fragments; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it might have become contaminated with filth.

The flour was stored, after shipment, under insanitary conditions. Many of the bags contained holes gnawed by rodents, and rodent excreta and urine stains were found on the bags. Examination of samples showed that the product contained rodent excreta, insects, and insect fragments.

**DISPOSITION:** January 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal institution, for use other than human consumption.

**5822. Adulteration of flour. U. S. v. 180 Bags of Flour. Default decree of condemnation and destruction. Decree amended to permit delivery of the product to a Federal institution for use as animal feed. (F. D. C. No. 11182. Sample No. 57023-F.)**

**LIBEL FILED:** November 26, 1943, Southern District of New York.

**ALLEGED SHIPMENT:** On or about September 12, 1943, from Atchison, Kans.

**PRODUCT:** 180 100-pound bags of flour at Mount Vernon, N. Y., in possession of the Krug Baking Co. of New York, Inc.

**VIOLATIONS CHARGED:** 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 might have become contaminated with filth.

This product was stored, after shipment, under insanitary conditions. Rodent pellets and urine stains were noted on the bags. Examination showed that the product was contaminated with rodent urine.

**DISPOSITION:** December 29, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On January 19, 1944, an amended decree was entered ordering the product delivered to a Federal institution. The flour having been sold by the firm in possession thereof for animal feed, the court, on April 5, 1944, ordered the proceeds of the sale paid over to the United States marshal.

**5823. Adulteration of rye flour. U. S. v. 19 Bags and 281 Bags of Rye Flour. Consent decrees of condemnation. Product ordered released under bond to be denatured for use as stock feed. (F. D. C. Nos. 11233, 11256. Sample Nos. 49005-F, 49006-F.)**

**LIBELS FILED:** December 3 and 8, 1943, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about April 21 and August 6, 1943, by the Globe Milling Co., Watertown, Wis.

**PRODUCT:** 300 98-pound bags of rye flour at Cincinnati, Ohio.

**LABEL, IN PART:** "Pure Dark Rye," or "Medium Dark Rye Blue Ribbon Rye Flour Pure Wisconsin Rye Flour."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of one or more of the following types of filth: Insects, larvae, pupae, cast skins, insect fragments, and rodent hair fragments.

**DISPOSITION:** January 15, 1944. The Globe Milling Co., claimant, having admitted the facts set forth in the libels, judgments of condemnation were entered. The product was ordered released under bond to be denatured for use as stock feed, under the supervision of the Food and Drug Administration.

**5824. Adulteration of flour. U. S. v. 592 Bags of Flour. Decree of condemnation. Product ordered released under bond to be used as animal feed. (F. D. C. No. 11104. Sample No. 34575-F.)**

**LIBEL FILED:** On or about November 15, 1943, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about June 12 and 19, 1943, by the Morten Milling Co., Dallas, Tex.

**PRODUCT:** 592 100-pound bags of flour at Jacksonville, Fla.

**LABEL, IN PART:** "Bleached Flour 5-AT Packed for The Great Atlantic & Pacific Tea Co. New York, N. Y."