

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."

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 insect fragments and insect excreta, and was otherwise unfit for food.

DISPOSITION: December 11, 1943. The Great Atlantic & Pacific Tea Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond for use as animal feed.

5825. Adulteration of soy flour. U. S. v. 37 Bags of Fat-T-Soy. Consent decree of condemnation. Product ordered destroyed. (F. D. C. No. 11101. Sample No. 28068-F.)

LIBEL FILED: November 16, 1943, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 12, 1943, by the Central Soya Co., Inc., Decatur, Ind.

PRODUCT: 37 100-pound bags of soy flour at Atlanta, Ga.

LABEL, IN PART: "100 Lbs. Net Edible Soya Central Soya Fat-T-Soy."

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 moth larvae, webby material, and insect excreta.

DISPOSITION: November 22, 1943. The owner having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed.

5826. Adulteration of flour. U. S. v. 240 Sacks of Flour (and 3 other seizure actions against flour). Decrees of condemnation. Portion of product ordered released under bond to be used for purposes other than human consumption; remainder ordered destroyed. (F. D. C. Nos. 10307, 10418, 10709, 11257. Sample Nos. 33991-F, 33992-F, 40917-F, 49007-F, 52875-F.)

LIBELS FILED: Between July 8 and September 10, 1943, Eastern District of Virginia, Western District of Pennsylvania, Eastern District of Louisiana, and Southern District of Ohio.

ALLEGED SHIPMENT: From on or about June 10 to July 8, 1943, by the Russell-Miller Milling Co. from Buffalo, N. Y., and Alton, Ill.

PRODUCT: 240 bags of flour at Norfolk, Va., 37 bags of flour at Erie, Pa., 500 bags of flour at New Orleans, La., and 19 bags of flour at Cincinnati, Ohio.

LABEL, IN PART: "Producer Flour," or "Special Powerful Blending 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: Larvae, cast skins, insect fragments, weevils, pupae, beetles, and rodent hair fragments.

DISPOSITION: November 6, 1943. L. Kayer and Jake Battleman, trading as the Baltimore Bakery, Norfolk, Va., claimants for the 240 bags of flour at Norfolk, Va., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be salvaged for purposes other than human consumption, under the supervision of the Food and Drug Administration. It was sold to a foundry to be used in core making. No claimant having appeared for the other lots, judgments of condemnation were entered between October 18, 1943, and February 7, 1944, and the product was ordered destroyed. The lot at Cincinnati was fed to hogs.

5827. Adulteration of flour. U. S. v. 13 Bags of Flour. Default decree of condemnation. Product ordered delivered to a charitable institution for use as animal feed. (F. D. C. No. 10993. Sample No. 21931-F.)

LIBEL FILED: October 23, 1943, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about March 19, 1943, by the Mahoning Valley Flour Co. from Youngstown, Ohio.

PRODUCT: 13 bags of flour at Ellwood City, Pa.

LABEL, IN PART: "Mother Hubbard Flour Bleached Manufactured By Hubbard Milling Company, Mankato, Minn."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence therein of insects, larvae and insect fragments.

DISPOSITION: December 29, 1943. No claim having been entered, the product was condemned, and the goods were ordered delivered to a charitable institution to be denatured and used for animal feed.