DISPOSITION: March 28, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6224. Adulteration of self-rising and plain flour, and misbranding of phosphated flour. U. S. v. 32 Bags of Flour (and 3 other seizure actions against flour). Decrees of condemnation. Portion ordered released under bond to be denatured for use as animal food; remainder ordered destroyed. (F. D. C. Nos. 10439, 10523, 12116, 13092. Sample Nos. 9968–F, 41097–F, 61477–F, 63550–F.)

LIBEL FILED: Between August 20, 1943, and August 3, 1944, Eastern and Western Districts of Louisiana, Southern District of Georgia.

ALLEGED SHIPMENT: From on or about December 28, 1942, to March 15, 1944, by the Quaker Oats Co., Sherman, Tex., and St. Joseph, Mo.

PRODUCT: 32 98-pound bags of flour at Opelousas, La., 988 sacks, each containing 5 pounds, of flour at Lafayette, La., 110 24-pound sacks of flour at New Orleans, La., and 300 bags, each containing 25 pounds, of flour at Dublin, Ga.

LABEL, IN PART: (32 bags) "Smith's Challenge Hard Wheat Bleached Flour," (988 sacks) "5 Lbs. Net La Belle Enriched Phosphated Flour Bleached * * * Manufactured for Consolidated Companies, Inc.," (110 sacks) "Davis' Golden Sheaf Flour Bleached," and (300 bags) "Sea Breeze Self Rising Flour Bleached."

VIOLATIONS CHARGED: Adulteration (Opelousas, New Orleans, and Dublin lots), Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, weevils, and larvae.

Misbranding (remaining lot, "La Belle" brand), Section 403 (a), the statement "5 Lbs." was false and misleading as applied to a product that was short weight; and, Section 403 (e) (2), the product was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: September 13, 1944. W. R. Werden Co., Dublin, Ga., claimant for the lot at Dublin, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as animal feed, under the supervision of the Food and Drug Administration. Between October 20, 1943, and May 29, 1944, no claimant having appeared for the other lots, judgments of condemnation were entered and the product was ordered destroyed.

6225. Adulteration of self-rising flour and plain flour. U. S. v. 34 Sacks of Self-Rising Enriched Flour and 47 Bags of Plain Flour. Default decrees of condemnation. Product ordered disposed of as animal feed. (F. D. C. Nos. 11661, 12003. Sample Nos. 35686–F, 37398–F.)

LIBELS FILED: January 18 and March 18, 1944, Western District of South Carolina and District of Maryland.

ALLEGED SHIPMENT: On or about November 30, 1943, and January 20, 1944, by the Lakeview Milling Co., from Chambersburg, Pa.

PRODUCT: 16 sacks, each containing 24 pounds; 12 sacks, each containing 48 pounds; and 6 sacks, each containing 96 pounds, of self-rising flour at Abbeville, S. C., and 47 bags, each containing 100 pounds, of plain flour at Baltimore, Md.

LABEL, IN PART: (Sacks) "Sun Rise Self Rising Flour Bleached Enriched," (bags) "Best Short Winter Wheat Excellent Patent Flour Bleached."

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and mites; and, Section 402 (a) (4) (Baltimore lot), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: February 25 and April 29, 1944. No claimant having appeared, judgments of condemnation were entered. The lot at Abbeville was ordered delivered to an orphanage, to be used for hog feed, and the Baltimore lot was ordered sold for animal feed.

6226. Adulteration of self-rising flour. U. S. v. 375 Bags of Self Rising Flour. Default decree of condemnation. Product ordered delivered to a Federal correctional institution, for use as hog feed. (F. D. C. No. 10710. Sample No. 35803–F.)

LIBEL FILED: September 10, 1943, Northern District of Florida.

ALLEGED SHIPMENT: On or about July 7, 1943, by the Dixie Portland Flour Co., from Mobile, Ala.

PRODUCT: 375 12-pound bags of flour at Panama City, Fla.

LABEL, IN PART: "Made from Choice Kansas Wheat A No. 1 Bleached Flour * * * Manufactured by The Arkansas City Flour Mills Co. Arkansas City Kansas Self Rising."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of weevils, larvae, and cast skins.

DISPOSITION: March 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal correctional institution, for use as hog feed.

6227. Adulteration of whole wheat flour. U. S. v. 23 Bags of Whole Wheat Flour. Consent decree of condemnation. Product ordered released under bond to be denatured and used for technical purposes or for animal food. (F. D. C. No. 10948. Sample No. 34277-F.)

LIBEL FILED: October 26, 1943, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 10, 1943, by the Rodney Milling Co., from McPherson, Kans.

PRODUCT: 23 bags, each containing 100 pounds, of whole wheat flour, at Youngstown, Ohio.

LABEL, IN PART: "Contains all of the Wheat Berry Heart of America 100% Whole Wheat Fine Granulated 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 insects, larvae, purpae, cast skins, and head capsules.

DISPOSITION: December 28, 1943. Hathaway Bakeries, Inc., Youngstown, Ohio, claimant, having admitted the facts in the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured and used for technical purposes or for animal food, under the supervision of the Food and Drug Administration.

MISCELLANEOUS CEREAL PRODUCTS*

6228. Adulteration of corn flakes. U. S. v. 50 Bags of Corn Flakes. Default decree of condemnation and destruction. (F. D. C. No. 11317. Sample No. 46535-F.)

LIBEL FILED: December 15, 1943, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 7 and 10, 1943, by the Charles A. Krause Milling Co., from Milwaukee, Wis.

PRODUCT: 50 50-pound bags of corn flakes at Chicago, Ill.

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

DISPOSITION: February 7, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6229. Adulteration of corn grits. U. S. v. 1,000 Bags of Corn Grits. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11541. Sample No. 62550-F.)

LIBEL FILED: December 29, 1943, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about July 21, 1943, by the Charles A. Krause Milling Co., from Milwaukee, Wis.

PRODUCT: 1,000 bags, each containing 100 pounds, of corn grits at St. Louis, Mo.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance since it contained insects, larvae, pupae, and webbing.

DISPOSITION: January 26, 1944. The Griesedieck Bros. Brewery Co., St. Louis, Mo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and denatured under the supervision of the Food and Drug Administration.

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*See also No. 6390.