

Bread" which represented and suggested that the article, when used according to directions would produce ordinary bread, was false and misleading as applied to a product from which the leavening agent had been in whole or in part abstracted or omitted from the article, and which would not produce ordinary bread when used according to directions.

DISPOSITION: 11-5-64. Default—destruction.

29810. Frozen bread dough. (F.D.C. No. 50591. S. Nos. 3-321/4 A.)

QUANTITY: 376 cases, each containing 15 2-lb. bags, and 199 cases, each containing 10 3-lb. bags, at Greenville, S.C.

SHIPPED: 2-29-64 and 3-14-64, from Denver, Colo.

RESULTS OF INVESTIGATION: Investigation showed that the loaves, when baked according to directions of the dealer did not bake properly and the resulting baked product was heavy, doughy, and unpalatable; and that this frozen dough had been shipped approximately 6 months prior to seizure. The shipper stated that after lengthy storage the dough will not rise properly due to inactivation of the leavening agent.

LIBELED: 10-2-64, W. Dist. S.C.

CHARGE: 402(b)(1)—while held for sale, a valuable constituent, the leavening agent, had been in whole or in part omitted or abstracted from the article; 402(b)(3)—damage and inferiority had been concealed, since the article would not rise to produce ordinary bread when used according to directions; and 403(a)—the label statement, including the name "Frozen Dough For Home Baked Bread" which represented and suggested that the article, when used according to directions would produce ordinary bread, was false and misleading as applied to a product from which the leavening agent had been in whole or in part abstracted or omitted from the article, and which would not produce ordinary bread when used according to directions.

DISPOSITION: 11-10-64. Default—destruction.

### FLOUR

29811. Flour. (F.D.C. No. 50382. S. Nos. 22-138/40 X, 43-807 A, 43-809 A.)

INFORMATION FILED: 9-22-64, Dist. N. Mex., against Waples-Platter Co., a corporation, Roswell, N. Mex., James D. Sweeney, executive vice president, and Carl E. Tatum, warehouse manager.

ALLEGED VIOLATION: Between 5-20-63 and 1-27-64, while a number of bags of flour were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building that was accessible to and infested with birds and to be exposed to contamination by birds, which acts resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained bird excreta and uric acid from bird excreta; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty by Waples-Platter Co., to 5 counts; by Sweeney and Tatum each to 2 counts.

DISPOSITION: 11-13-64. Corporation—\$200 fine; each individual—\$200 fine.

29812. Flour and cake flour. (F.D.C. No. 49417. S. Nos. 2-217/18 X.)

QUANTITY: 98 100-lb. bags at Columbus, Ga.

SHIPPED: 7-5-63, from St. Louis, Mo.

LIBELED: 10-16-63, M. Dist. Ga.