Secretary had determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses; and 403(k), the article contained an artificial flavoring, and failed to bear labeling stating that fact.

CEREALS AND CEREAL PRODUCTS

FLOUR

28901. Flour. (F.D.C. No. 45827. S. No. 48–323 R.)

QUANTITY: 143 100-lb. bags, at Grand Rapids, Mich., in possession of Watson-Higgins Milling Co.

SHIPPED: 4–4–61 and 4–20–61, from Minneapolis, Minn., and Chicago, Ill.

LIBELED: 6–12–61, W. Dist. Mich.

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

DISPOSITION: 6–22–61. Consent—claimed by Watson-Higgins Milling Co. Segregated; 47 bags denatured.

28902. Flour. (F.D.C. No. 48685. S. Nos. 28–069/70 V, 28–080 V, 28–101 V.)

QUANTITY: 97 50-lb. bags of flour, at Omaha, Nebr., in possession of United A–G Stores Cooperative, Inc.

SHIPPED: 9–25–62 and 12–6–62, from Kansas City, Mo.

LIBELED: 1–28–63, Dist. Nebr.

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

DISPOSITION: 2–4–63. Consent—destruction.

28903. Flour. (F.D.C. No. 48461. S. No. 20–328 V.)

QUANTITY: 60 100-lb. bags, at El Paso, Tex., in possession of Economy Cash & Carry, Inc.

SHIPPED: 7–3–62, from Denver, Colo.

LIBELED: 11–23–62, W. Dist. Tex.

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

DISPOSITION: 3–8–63. Default—destruction.

28904. Flour. (F.D.C. No. 48609. S. No. 39–262 V.)

QUANTITY: 22 100-lb. bags, at Paterson, N.J., in possession of A. Giger & Co.

SHIPPED: 11–20–62, from Buffalo, N.Y.

LIBELED: 1–21–63, Dist. N.J.

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

DISPOSITION: 4–3–63. Default—destruction.

28905. Flour. (F.D.C. No. 48644. S. Nos. 59–502/3 V.)

QUANTITY: 157 25-lb. bags of self-rising flour, and 295 25-lb. bags of plain flour, at Seneca, S.C., in possession of Seneca Grocery Co.

SHIPPED: 10–23–62, from Claflin, Kans.

LIBELED: 2–25–63, W. Dist. S.C.

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

DISPOSITION: 4-11-63. Default—delivered to a charitable institution for use as animal feed.

28906. Flour and cereal binder. (F.D.C. No. 47875. S. Nos. 57-407/8 R, 2-453 T.)

INFORMATION FILED: 9-14-62, N. Dist. Ga., against Nelson Brokerage Co., a corporation, Atlanta, Ga.

ALLEGED VIOLATIONS: Between 11-27-60 and 11-2-61, while quantities of flour and cereal binder were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

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

PLEA: Not guilty.

DISPOSITION: On 3-6-63, the case came on for trial before court and jury. On 3-7-63, the jury returned a verdict of guilty. On 3-9-63, corporation was fined $100 and placed on probation.

28907. Flour and potatoes. (F.D.C. No. 47892. S. Nos. 37-632/4 T, 37-636/7 T, 38-413 T.)

INFORMATION FILED: 11-14-62, E. Dist. La., against Interstate Wholesale Grocers, Inc., trading under the names of Dupont Wholesale Co., Houma, La., and Percy-Lobdell Co., Thibodaux, La., and against Joseph B. Dupont, president of the corporation and Thibodaux, La., warehouse manager, and Donald E. Dupont, vice president of the corporation and Houma, La., warehouse manager.

ALLEGED VIOLATIONS: Between 9-18-61 and 2-16-62, while quantities of flour and potatoes were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in buildings at Houma and Thibodaux, La., that were 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)—contained insect larvae, excreta, and webbing, and rodent hairs, pellets and urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty by the corporation to all counts; nolo contendere by Donald E. Dupont to 4 counts and by Joseph B. Dupont to 2 counts.

DISPOSITION: 6-19-63. Corporation—$1,500 fine; Donald E. Dupont—$1,000 fine; and Joseph B. Dupont—$500 fine.

28908. Flour, cornmeal, dried pinto beans, and unpopped popcorn. (F.D.C. No. 48846. S. Nos. 73-484/6 V, 73-489 V.)

QUANTITY: 1,748 25-lb. bags of flour, 360 25-lb. bags of cornmeal, 80 100-lb. bags of dried pinto beans, and 26 cases, each containing 6 4-lb. bags of unpopped popcorn, at Dallas, Tex., in possession of Affiliated Food Stores.

SHIPPED: Between 9-25-62 and 3-21-63, from Kansas City, Mo., Winfield, Kans., Lucerne and Greeley, Colo., and Cedar Rapids, Iowa.

LIBELED: 5-3-63, N. Dist. Tex.