

judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration and sold for animal consumption. On March 28 and September 15, 1944, no claimant having appeared for the remainder, judgments of condemnation were entered and the 38 bags were ordered delivered to a county institution to be used as hog or other livestock feed after destruction of the labels under the supervision of the Food and Drug Administration; the 17 sacks were ordered denatured under the supervision of the Food and Drug Administration and sold to the highest bidder, for non-human consumption.

6433. Adulteration of rolled oats and corn flour. U. S. v. 40 Bags of Rolled Oats and 22 Bags of Corn Flour. Default decree of condemnation and destruction. (F. D. C. No. 11954. Sample Nos. 35761-F to 35764-F, incl.)

LABEL FILED: March 6, 1944, Northern District of Georgia.

ALLEGED SHIPMENT: From on or about May 18 to October 15, 1943, from Cedar Rapids, Iowa, Decatur, Ill., and Chicago, Ill.

PRODUCT: 28 100-pound bags and 12 90-pound bags of rolled oats, 10 100-pound bags of yellow corn flour, and 12 100-pound bags of white corn flour, at Atlanta Ga., in possession of the Brown-Rogers-Dixson Co.

The products had been stored under insanitary conditions after shipment. Examination of samples showed that the products were contaminated with one or more of the following types of filth: Rodent urine, rodent excreta, rodent hairs, insect larvae, weevils, and insect fragments.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of a filthy substance. Section 402 (a) (4), they had been held under insanitary conditions whereby they might have become contaminated with filth.

DISPOSITION: April 12, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

6434. Adulteration of graham flour. U. S. v. 29 Bags of Graham Flour. Default decree of condemnation. Product ordered delivered to a charitable institution for denaturing and use as animal feed. (F. D. C. No. 12082. Sample No. 61456-F.)

LABEL FILED: March 25, 1944, Western District of Texas.

ALLEGED SHIPMENT: On or about November 15, 22, and 29, 1943, from Independence, Mo.

PRODUCT: 29 100-pound bags of graham flour at San Antonio, Tex., in possession of the Grandma Cookie Co.

The product had been stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets were found on and between them. Examination of a sample showed that the product contained rodent excreta, insects, and insect fragments.

VIOLATIONS CHARGED: Adulteration, Section 492 (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 may have become contaminated with filth.

DISPOSITION: May 24, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a local charitable institution, for denaturing and use as animal feed.

6435. Adulteration of salt, sweet dough mix, corn meal, green split peas, whole wheat graham flour, rolled oats, and cake flour. U. S. v. 18 Bags of Salt, 8 Bags of Sweet Dough Mix, 31 Bags of Corn Meal, 6 Bags of Green Split Peas, 9 Bags of Whole Wheat Graham Flour, 13 Bags of Rolled Oats, and 25 Bags of Cake Flour. Consent decree of condemnation. Products ordered released under bond. (F. D. C. No. 12238. Sample Nos. 58783-F to 58791-F, incl.)

LABEL FILED: April 21, 1944, District of Columbia.

PRODUCT: 18 100-pound bags of salt, 8 100-pound bags of sweet dough mix, 23 100-pound bags of yellow cream corn meal, 6 bags of green split peas, 9 100-pound bags of whole wheat graham flour, 13 100-pound bags of rolled oats, 8 100-pound bags of white cream corn meal, and 25 100-pound bags of cake flour, at Washington, D. C., in possession of S. A. Gatti & Son.

The products had been stored under insanitary conditions. The premises were rodent infested and many of the bags had been cut by rodents and contained rodent pellets and urine stains. Examination of samples showed the presence of rodent excreta, rodent hairs, insect fragments, and urine.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: May 10, 1944. Seraphin A. Gatti and Stephen A. Gatti, trading as S. A. Gatti & Son, claimants, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be converted into animal feed under the supervision of the Food and Drug Administration.

6436. Adulteration of soy-flake flour and corn flakes. U. S. v. 20 Bags of Soy-flake Flour and 10 Bags of Corn Flakes. Default decrees of condemnation. Product ordered sold to be denatured for purposes other than human consumption. (F. D. C. No. 11898. Sample Nos. 62857-F, 62858-F.)

LIBELS FILED: February 24, 1944, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about June 24 and September 28, 1943, from Decatur, Ill.

PRODUCT: 10 50-pound bags of corn flakes and 20 100-pound bags of soy-flake flour at St. Louis, Mo., in possession of the St. Louis Bakers Co-Operative Association. *

The articles had been stored under insanitary conditions after shipment. Many of the bags had been torn by rodents, and rodent nests were found. Examination showed the presence of rodent excreta and rodent hairs.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: March 23, 1944. No claimant having appeared, judgments of condemnation were entered and the products were ordered sold to be denatured for purposes other than human consumption.

MISCELLANEOUS CEREAL PRODUCTS*

6437. Adulteration of bran flakes. U. S. v. 175 Cases of Bran Flakes. Default decree of condemnation and destruction. (F. D. C. No. 11784. Sample No. 940-F.)

LIBEL FILED: February 14, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about August 4, October 12, and November 26, 1943, by the General Foods Sales Co., from Battle Creek, Mich.

PRODUCT: 175 cases, each containing 24 8-ounce boxes, of bran flakes at Chicago, Ill.

LABEL IN PART: (Boxes) "Post's 40% Bran Flakes with other parts of Wheat."

VIOLATION CHARGED: Adulteration, Section 402 (a) (1), the article contained an added deleterious substance, glass, which might have rendered it injurious to health.

DISPOSITION: March 22, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6438. Adulteration of corn grits. U. S. v. 600 Bags of Grits. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11708. Sample No. 61078-F.)

LIBEL FILED: January 25, 1944, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about October 30, 1943, from Decatur, Ill.

PRODUCT: 600 100-pound bags of corn grits at New Orleans, La., in possession of the Commercial Terminal Warehouse Co., Inc.

The product was stored under insanitary conditions after shipment. The bags had been cut by rodents, and rodent excreta was observed on the bags. Examination of samples of the article showed that the product was contaminated with rodent excreta and rodent hairs.

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 may have become contaminated with filth.

*See also Nos. 6433, 6435, and 6436.