

7536. Adulteration of whole wheat flour. U. S. v. 39 Bags of Flour. Default decree of condemnation. Product ordered sold. (F. D. C. No. 13183. Sample No. 80727-F.)

LIBEL FILED: August 7, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about November 24, 1943, from Louisville, Ky.

PRODUCT: 39 bags, each containing 100 pounds, of wheat flour at Memphis, Tenn., in the possession of the Kroger Grocery and Baking Co. (Warehouse).

This product was stored, after shipment, under insanitary conditions. The bags were rodent-gnawed and contained rodent pellets and urine stains. Examination showed that the product contained rodent excreta, rodent hairs, larvae, and insect fragments.

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.

DISPOSITION: November 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it be denatured so that it could not be used for human consumption.

MISCELLANEOUS CEREAL PRODUCTS

7537. Adulteration of pearled barley. U. S. v. 719 Bags of Pearled Barley. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13745. Sample No. 80498-F.)

LIBEL FILED: September 26, 1944, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about July 15, 1944, by the St. Louis Rice Milling Co., St. Louis, Mo.

PRODUCT: 719 100-pound bags of pearled barley at Belleville, Ill.

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 weevils, larvae, and insect fragments.

DISPOSITION: October 9, 1944. The Star Peerless Brewery Co., Belleville, Ill., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be reprocessed and made into animal feed, under the supervision of the Food and Drug Administration.

7538. Adulteration of barley flakes. U. S. v. 128 Bags, 406 Bags, and 251 Bags of Barley Flakes. Decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 14050, 14082. Sample Nos. 88486-F, 88489-F, 88492-F.)

LIBELS FILED: October 16 and 23, 1944, District of Massachusetts.

ALLEGED SHIPMENT: Between on or about February 9 and June 3, 1944, by the Brooks Elevator Corporation, from Minneapolis, Minn.

PRODUCT: 785 100-pound bags of barley flakes at Boston, Mass.

LABEL, IN PART: (Tags) "Belco Barley Flakes."

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 weevils, insects, and larvae.

DISPOSITION: November 9, 1944. The actions having been consolidated, and the Boston Beer Co., Boston, Mass., claimant, having admitted the allegations of the libels, 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 used as animal feed.

7539. Adulteration of brewers' grits. U. S. v. 5,000 Bushels of Brewers' Corn Grits. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14656. Sample No. 92843-F.)

LIBEL FILED: December 15, 1944, District of Columbia.

PRODUCT: 5,000 bushels of brewers' grits at Washington, D. C., in the possession of the Chr. Heurich Brewing Co.

This product had been stored, after shipment, under insanitary conditions. Examination showed that the product contained beetles, larvae, insect webbing and excreta, and rodent excreta. The presence of rodents, insects, and birds contributed to the insanitary conditions whereby foods stored might become contaminated with filth.

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 stored under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: January 19, 1945. The Chr. Heurich Brewing Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be denatured into animal feed, under the supervision of the Food and Drug Administration.

7540. Adulteration of brewers' grits. U. S. v. 900 Bags, 710 Bags, and 483 Bags of Brewers' Grits. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 14083. Sample Nos. 88488-F, 88490-F, 88491-F.)

LIBEL FILED: October 23, 1944, District of Massachusetts.

ALLEGED SHIPMENT: Between on or about October 7, 1943, and June 30, 1944, by the Lawrence Milling Co., from Lawrence, Kans.

PRODUCT: 2,093 100-pound bags of brewers' grits at Boston, Mass.

LABEL, IN PART: (Bags) "Refined Brewers' Grits MILO Extra Fancy Quality."

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 weevils, larvae, and webbing.

DISPOSITION: November 9, 1944. The Boston Beer Co., Boston, Mass., claimant, having admitted the allegations of the libel, 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 used as animal feed.

7541. Adulteration of white brewers' grits. U. S. v. 100 Bags of White Brewers' Grits. Consent decree ordering product released under bond. (F. D. C. No. 14760. Sample No. 67569-F.)

LIBEL FILED: December 12, 1944, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 7, 1944, by the M. & O. Milling Co., Mt. Vernon, Ind.

PRODUCT: 100 100-pound reused bags of brewers' grits at Cleveland, Ohio.

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 weevils and larvae.

DISPOSITION: January 12, 1945. The Brewing Corporation of America, Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be cleaned, under the supervision of the Food and Drug Administration, and used for purposes other than human consumption.

7542. Adulteration of shelled corn. U. S. v. 882 Bags of Shelled Corn. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13741. Sample No. 39572-F.)

LIBEL FILED: September 26, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about June 24, 1944, by the Chapman Mill and Grain Co., from Hondo, Tex.

PRODUCT: 882 bags, each containing 100 pounds, of shelled corn at Los Angeles, Calif.

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 weevils and insect-damaged corn.

DISPOSITION: October 4, 1944. The Frito Company of California, Los Angeles, Calif., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law under the supervision of the Food and Drug Administration. The product was disposed of for use other than human consumption.

7543. Adulteration of white corn. U. S. v. 200 Bags of White Corn. Consent decree of condemnation. Product ordered released, under bond, for sale as animal feed. (F. D. C. No. 14205. Sample No. 74356-F.)

LIBEL FILED: November 7, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about September 13, 1944, from Muskogee, Okla.