ALLEGED SHIPMENT: Between the approximate dates of April 19 and 27, 1945, by the St. Marys Mill Co., from St. Marys, Mo.

PRODUCT: 385 bags of enriched self-rising flour and 146 bags of enriched phosphated flour at Birmingham, Ala., and 800 bags of enriched self-rising flour and 500 bags of enriched phosphated flour at Memphis, Tenn. Examination showed that the products contained between 1.22 milligrams and 1.58 milligrams of vitamin $B_1$; and that the content of iron in portions of the products varied between 10.6 milligrams and 11.9 milligrams.

LABEL, IN PART: "Orris Bleached Self-Rising Flour," "Iron Snow Wreath Bleached—Phosphated Plain," "Bleached Enriched Snow Wreath Flour * * * Self-Rising," "Bleached Country Club Brand Self-Rising Flour," or "Kroger's Country Club Quality Brand Phosphated Flour."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin $B_1$ and iron, had been in part omitted.

Misbranding, Section 403 (g) (1), the articles failed to conform to the definition and standard of identity for enriched phosphated and self-rising flour since they contained, in each pound, less than 2.0 milligrams of thiamine (vitamin $B_1$), and portions contained less than 13.0 milligrams of iron, the minimum thiamine and iron content permitted by the regulations. Portions were further misbranded under Section 403 (f) in that the information concerning their vitamin properties, which is required by the regulations to appear on the label, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since it was illegible.

DISPOSITION: June 23 and 25, 1945. The St. Marys Mill Co., St. Marys, Mo., having appeared as claimant for the Memphis lot and having consented to the entry of a decree, and no claimant having appeared for the Birmingham lot, judgments of condemnation were entered. The flour in the Memphis lot was ordered released under bond to be remilled in compliance with the law, under the supervision of the Federal Security Agency, and the flour in the Birmingham lot was ordered delivered to a charitable institution. Thereafter, it was found that a portion of the Birmingham lot was badly contaminated and, on August 22, 1945, an amended decree was entered providing for the destruction of that portion.

## MISCELLANEOUS CEREAL PRODUCTS

**9028. Adulteration of corn flakes. U. S. v. 80 Bags and 572 Bags of Corn Flakes. Decrees of condemnation. Portion of product ordered released under bond; remainder ordered destroyed or delivered to a Federal institution.** (F. D. C. Nos. 15954, 15955. Sample Nos. 627–H, 628–H.)

LIBELS FILED: April 21, 1945, Middle District of Georgia.

ALLEGED SHIPMENT: On or about January 16 and 24, 1945, from Milwaukee, Wis., and Decatur, Ill.

PRODUCT: 652 50-pound bags of corn flakes at Milledgeville, Ga., in the possession of the Hodges Candy Co.

The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the product was contaminated with rodent urine, and that it contained rodent pellets.

NATURE OF CHARGE: 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: May 3, 1945. The Hodges Candy Co. having appeared as claimant for the 572-bag lot and having admitted that the product was adulterated as charged, judgment of condemnation was entered and the product was ordered released under bond for the segregation and destruction of the unfit portion, under the supervision of the Food and Drug Administration. The unfit portion was denatured. On May 26, 1945, no claimant having appeared for the other lot, judgment of condemnation was entered and the product was ordered destroyed or delivered to a Federal institution, for use as animal feed.