

11713. Adulteration of flour and self-rising flour. U. S. v. 48 Bags, etc. (F. D. C. Nos. 22277, 22278. Sample Nos. 54357-H, 54358-H.)

LIBEL FILED: February 7, 1947, Middle District of North Carolina.

ALLEGED SHIPMENT: On or about June 24, and September 23, 1946, from Hopkinsville, Ky., and Loudonville, Ohio, respectively.

PRODUCT: 48 50-pound bags of flour and 50 50-pound bags of self-rising flour at Salisbury, N. C., in possession of the Thomas & Howard Co. The products were stored under insanitary conditions after shipment in interstate commerce. Some of the bags were rodent-gnawed, and rodent urine was observed on them. Examination showed that the products were contaminated with rodent urine.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles 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: March 14, 1947. The cases having been consolidated, and the Thomas & Howard Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be denatured and sold for industrial use, under the supervision of the Federal Security Agency.

11714. Adulteration of flour. U. S. v. 215 Bags * * *. (F. D. C. No. 21335. Sample No. 43133-H.)

LIBEL FILED: October 17, 1946, Western District of Virginia.

ALLEGED SHIPMENT: On or about July 18, 1946, from Nashville, Tenn.

PRODUCT: 215 25-pound bags of flour at Big Stone Gap, Va., in possession of Big Stone Wholesale, Bledsoe Bros. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta were observed on them. Examination showed that the product contained rodent hairs.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: March 20, 1947. Bledsoe Bros., a partnership, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for use solely as animal feed.

11715. Adulteration of bromated flour. U. S. v. 407 Bags * * *. (F. D. C. No. 21857. Sample No. 52473-H.)

LIBEL FILED: December 13, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about August 5, 1946, from Minneapolis, Minn.

PRODUCT: 407 100-pound bags of bromated flour at Portsmouth, Ohio, in possession of Warner Wall Transfer Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product had been contaminated with urine.

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: March 19, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold for use as stock feed.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

11716. Adulteration of brewers flakes. U. S. v. 19 Bags * * *. (F. D. C. No. 21358. Sample No. 52759-H.)

LIBEL FILED: October 23, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about March 6, 1946, by the Mt. Vernon Milling Co., from Mt. Vernon, Ind.

PRODUCT: 19 100-pound bags of brewers flakes at Upper Sandusky, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae, insect fragments, and larvae fragments.

DISPOSITION: November 15, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11717. Adulteration of brewers grits. U. S. v. 970 Bags * * *. (F. D. C. No. 21379. Sample Nos. 53886-H, 53887-H.)

LIBEL FILED: October 24, 1946, Western District of Kentucky.

ALLEGED SHIPMENT: On or about July 10 and 15, 1946, by The Kimbell Milling Co., from Seguin and Fort Worth, Tex.

PRODUCT: 970 100-pound bags of brewers grits at Louisville, Ky.

LABEL, IN PART: "Kimco Degerminated Milo Brewers Grits."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: November 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution, for use as animal feed.

11718. Adulteration of brewers grits. U. S. v. 103 Bags * * *. (F. D. C. No. 21223. Sample No. 53378-H.)

LIBEL FILED: October 7, 1946, Eastern District of Kentucky.

ALLEGED SHIPMENT: On or about July 16, 1946, by the Lauhoff Grain Co., from Danville, Ill.

PRODUCT: 103 100-pound bags of brewers grits at Covington, Ky.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and rodent excreta.

DISPOSITION: October 30, 1946. The Bavarian Brewing Co., Covington, Ky., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be converted into stock feed, under the supervision of the Food and Drug Administration.

11719. Adulteration of popcorn. U. S. v. 42 Bags * * * (and 3 other seizure actions). (F. D. C. Nos. 21377, 21674, 21737, 21740. Sample Nos. 48142-H, 48150-H, 54327-H, 72632-H.)

LIBELS FILED: Between the dates of October 30 and November 26, 1946, District of Utah and District of North Carolina.

ALLEGED SHIPMENT: Between the approximate dates of December 22, 1945, and July 19, 1946, by the Midwest Popcorn Co., from Valley and Waterloo, Nebr.

PRODUCT: Popcorn. 60 100-pound bags at Provo, Utah, 43 100-pound bags at Salt Lake City, Utah, and 800 100-pound bags at Charlotte, N. C.

LABEL, IN PART: (Portion) "South American Variety Popcorn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and larvae, insect parts, insect excreta, rodent excreta, rodent hairs, webbing, and rodent- or insect-damaged kernels.

DISPOSITION: Between the dates of December 5, 1946, and February 14, 1947. The Bryant Theatre Supply Co., Charlotte, N. C., and Thrifty Foods, Inc., having appeared as claimants for the Charlotte and Salt Lake City lots, respectively, and having admitted the material allegations of the libels, judgments of condemnation were entered and these lots were ordered released under bond, conditioned that the Charlotte lot be converted into stock feed and that the Salt Lake City lot be recleaned and reprocessed so that it would conform with the law, under the supervision of the Federal Security Agency.

No claimant having appeared for either of the Provo lots, judgments were entered ordering that these lots of the product be utilized for animal feed.