

Section 402 (a) (3), they consisted in part of filthy substances, such as insects, larvae, larval cast skins, insect fragments, pupae, larval head capsules, mites, insect eggs, feather fragments, and rodent hair fragments; and, Section 402 (a) (4), they had been and were being prepared under insanitary conditions whereby they may have become contaminated with filth.

The complaint alleged further that the insanitary conditions under which the foods had been prepared consisted of the presence of insects, rodents, insect and rodent excreta, and other filthy substances, in and around the plant where the foods were prepared and stored, in and around the raw materials and substances from which the foods were prepared, and in and around the machinery and equipment used in the manufacture of the foods, thereby subjecting the finished foods and the raw materials from which they are made to contamination by insects, rodents, insect and rodent excreta, and other filthy substances; and that although the defendants had been advised of the insanitary conditions under which the foods were being manufactured, and of the contamination to which the foods and raw materials were subjected, they continued to introduce and deliver the foods for shipment in interstate commerce.

PRAYER OF COMPLAINT: That the defendants be perpetually enjoined from commission of the acts complained of; and that a preliminary injunction be granted during the pendency of the action.

DISPOSITION: October 28, 1947. The defendants having filed an answer to the complaint, but having consented to the entry of a decree, the court issued an order enjoining the defendants from introducing or delivering for introduction into interstate commerce foods and food products, specifically doughnut flour, prepared mixes, and liquid extracts, which they have manufactured and prepared for shipment, or would in the future manufacture and prepare for shipment.

13233. Adulteration of flour and corn meal. U. S. v. Henry Stanley White (Cadiz Milling Co.). Plea of guilty. Fine, \$1,000 on each of 2 counts, plus costs; fine on count 2 suspended. Defendant placed on probation for 2 years. (F. D. C. No. 24530. Sample Nos. 83173-H, 83434-H.)

INFORMATION FILED: April 24, 1948, Western District of Kentucky, against Henry Stanley White, trading as the Cadiz Milling Co., Cadiz, Ky.

ALLEGED SHIPMENT: On or about July 22 and August 5, 1947, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Admiration Flour," or "Cream Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of rodent excreta fragments, rodent hair fragments, insect fragments, and larvae; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 14, 1948. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$1,000 on each of 2 counts, plus costs. The fine on count 2 was suspended, and the defendant was placed on probation for 2 years.

13234. Adulteration of flour. U. S. v. 600 Bags * * *. (F. D. C. No. 24951. Sample No. 19905-K.)

LIBEL FILED: June 14, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 13, 1948, by Tennant and Hoyt, Lake City, Minn.

PRODUCT: 600 100-pound bags of flour at Columbus, Ohio.

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

DISPOSITION: June 15, 1948. Tennant and Hoyt, claimants, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be converted into stock feed, under the supervision of the Food and Drug Administration.