

15608. Adulteration of corn meal. U. S. v. 146 Bags, etc. (F. D. C. No. 27938. Sample No. 47765-K.)

LIBEL FILED: On or about October 24, 1949, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about September 22, 1949, by Weisheimer Bros., from Columbus, Ohio.

PRODUCT: 146 2-pound bags and 104 5-pound bags of corn meal at Huntington, W. Va.

LABEL, IN PART: "The Flavor-Fresh Grind Fancy White Bolted Corn Meal."

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 insects, insect fragments, rodent excreta, and rodent hairs; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: December 1, 1949. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, to be disposed of for purposes other than for human consumption.

FLOUR

Nos. 15609 to 15614 report actions involving flour that was insect- or rodent-infested, or both. (In those cases in which the time of contamination was known, that fact is stated in the notice of judgment.)

15609. Adulteration of pastry flour and corn meal. U. S. v. Millstadt Milling Co. Plea of nolo contendere. Fine of \$1,000, plus costs. (F. D. C. No. 24548. Sample Nos. 26062-K, 26462-K.)

INFORMATION FILED: April 19, 1948, Eastern District of Illinois, against the Millstadt Milling Co., a corporation, Millstadt, Ill.

ALLEGED SHIPMENT: On or about November 13 and December 5, 1947, from the State of Illinois into the State of Missouri.

LABEL, IN PART: "Bridal Blossom Cake Flour" and "Baltz's Best Cream Meal."

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

DISPOSITION: December 13, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000, together with costs.

15610. Adulteration of pastry flour. U. S. v. 365 Bags * * *. (F. D. C. No. 27945. Sample No. 30229-K.)

LIBEL FILED: October 24, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about July 1, 1949, from Pendleton, Oreg.

PRODUCT: 365 100-pound bags of cookie flour at Los Angeles, Calif.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 28, 1949. Default decree of condemnation and destruction.

15611. Adulteration of pastry flour. U. S. v. 109 Bags * * *. (F. D. C. No. 27201. Sample No. 5927-K.)

LABEL FILED: May 9, 1949, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 8, 1948, from Hopkinsville, Ky.; on or about December 7, 1948, from Louisville, Ky.; and on or about December 10, 1948, from St. Belo, N. Y.

PRODUCT: 109 100-pound bags of pastry flour at Charlestown, Mass., in possession of H. Rohtstein & Co., Inc.

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 rodent excreta and rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 31, 1949. H. Rohtstein & Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond and that the unfit portion be segregated and denatured for use as animal feed. Of the bags seized, 85 were segregated as fit for human consumption and 23 were denatured for use as animal feed.

15612. Adulteration of rye flour, pastry flour, and plain flour. U. S. v. 30 Bags, etc. (F. D. C. No. 27927. Sample Nos. 58223-K, 58230-K.)

LABEL FILED: October 17, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about September 18, 1949, by General Mills, Inc., from Tucson, Ariz. This was a return shipment.

PRODUCT: 31,000 pounds of rye flour, pastry flour, and plain flour at Vernon, Calif.

LABEL, IN PART: "Sperry Special," "Cream of Rye," "La Bina," "Gold Medal K. T.," "4 X Clear," "Cake & Pastry," "All in One," and "Soft as Silk."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects.

DISPOSITION: November 7, 1949. General Mills, Inc. (Sperry Division), Minneapolis, Minn., appeared as claimant and denied that it was responsible for the presence of insects in the flour and alleged that the article had become contaminated while in transit and while under the control of a railroad carrier. The claimant, however, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond, to be used in the manufacture of animal feed, under the supervision of the Food and Drug Administration.

15613. Adulteration of whole wheat flour. U. S. v. 45 Bags * * *. (F. D. C. No. 27964. Sample No. 33930-K.)

LABEL FILED: November 8, 1949, Southern District of California.

ALLEGED SHIPMENT: On or about June 13, 1949, from Spokane, Wash.

PRODUCT: 45 100-pound bags of whole wheat flour at Porterville, Calif., in possession of the Sunlight Bakery.