

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.