

**FLOUR**

**19610. Adulteration of flour. U. S. v. 368 Bags, etc. (F. D. C. No. 33925. Sample Nos. 62227-L to 62229-L, incl., 62231-L.)**

**LIBEL FILED:** October 10, 1952, Western District of Kentucky.

**ALLEGED SHIPMENT:** On or about March 4 and 25 and April 21, 1952, from St. Louis, Mo., and Mount Vernon, Ind.

**PRODUCT:** 1,170 25-pound bags of flour at Murray, Ky.

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

**DISPOSITION:** December 23, 1952. The Aviston Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be used for animal feed and that the product be labeled accordingly, under the supervision of the Food and Drug Administration.

**19611. Adulteration of flour. U. S. v. 55 Bags \* \* \*. (F. D. C. No. 33935. Sample No. 33030-L.)**

**LIBEL FILED:** October 17, 1952, Northern District of Illinois.

**ALLEGED SHIPMENT:** At times prior to October 17, 1952, from points outside the State of Illinois.

**PRODUCT:** 55 100-pound bags of flour at Chicago, Ill., in the possession of Fogel Warehouse 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 pigeon droppings, and it was otherwise unfit for food by reason of the presence of water-damaged flour; 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:** January 13, 1953. Default decree of condemnation. The court ordered that the product be delivered to an institution, for use as animal feed.

**19612. Adulteration and misbranding of enriched self-rising flour. U. S. v. Dixie-Portland Flour Co. Plea of guilty. Fine, \$500. (F. D. C. No. 33839. Sample Nos. 1751-L, 2828-L, 4063-L.)**

**INFORMATION FILED:** November 3, 1952, Eastern District of Tennessee, against the Dixie-Portland Flour Co., a corporation, Chattanooga, Tenn.

**ALLEGED SHIPMENT:** On or about July 19, October 30, and December 4, 1951, from the State of Tennessee into the States of Georgia and North Carolina.

**LABEL, IN PART:** "Enriched Self Rising Flour Bleached Vitamins and Iron 25 Lbs. Net Weight \* \* \* Washington Flour Mill White Silk Washington, Mo.," "10 Lbs. Bleached Enriched Self-Rising Flour \* \* \* Dixie Portland Flour Mills Gold Seal Richmond, Va.," or "25 Lbs. Net Weight Stout's Famous Flour Bleached Self-Rising Enriched \* \* \* Milled for and Baking quality Guaranteed by Washington Flour Mill Washington, Mo."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin B<sub>1</sub>, riboflavin, iron, and niacin, in one of the shipments, vitamin B<sub>1</sub>, riboflavin, and niacin, in one of the shipments, and vitamin B<sub>1</sub> and riboflavin, in the third shipment, had been in part omitted and abstracted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for enriched self-rising flour since the regulations prescribing a definition and standard of identity provide that enriched self-rising flour shall contain in each pound, among other nutritional substances, not less than 2 mg. of thiamine (vitamin B<sub>1</sub>), not less than 1.2 mg. of riboflavin, not less than 16 mg. of niacin, and not less than 13 mg. of iron, whereas one shipment of the article contained less vitamin B<sub>1</sub>, riboflavin, niacin, and iron than required; one shipment contained less vitamin B<sub>1</sub>, riboflavin, and niacin than required; and one shipment contained less vitamin B<sub>1</sub> and riboflavin than required.

Further misbranding, Section 403 (a), the statement "8 oz. of Enriched Self-Rising Flour contains not less than the following proportions of the minimum daily requirements of Vitamin B<sub>1</sub> 100%, Riboflavin 30%, Iron 65% \* \* \* and 8 mg. of Niacin" borne on the label of one of the shipments and similar statements on the labels of the other shipments were false and misleading since all the shipments contained less than the declared proportions of the minimum daily requirements for vitamin B<sub>1</sub> and riboflavin; two of the shipments contained less than the declared amount of niacin; and one of the shipments contained less than the declared proportion of the minimum daily requirements for iron.

**DISPOSITION:** November 7, 1952. A plea of guilty having been entered, the court imposed a fine of \$83 against the defendant on each of the first 5 counts of the information and a fine of \$85 on the sixth count, a total fine of \$500.

#### MACARONI AND NOODLE PRODUCTS

**19613. Adulteration of elbow macaroni and mixed nuts. U. S. v. 9 Cases, etc. (F. D. C. No. 34481. Sample Nos. 43928-L, 43930-L.)**

**LABEL FILED:** December 11, 1952, District of Kansas.

**ALLEGED SHIPMENT:** On or about December 12, 1951, and October 30, 1952, from Kansas City, Mo.

**PRODUCT:** 9 cases, each containing 12 2-pound bags, of elbow macaroni, and 9 cases, each containing 24 2-pound bags, of mixed nuts, at Iola, Kans., in the possession of the Iola Wholesale Grocery Co.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the products consisted in part of filthy substances by reason of the presence of rodent urine; and, Section 402 (a) (4), the products had been held under insanitary conditions whereby they may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** March 2, 1953. Default decree of condemnation and destruction.

**19614. Adulteration of egg noodles. U. S. v. 20 Cases \* \* \*. (F. D. C. No. 34196. Sample No. 22608-L.)**

**LABEL FILED:** November 7, 1952, Southern District of Texas.

**ALLEGED SHIPMENT:** On or about May 5, 1952, by the American Beauty Macaroni Co., from Kansas City, Mo.