

FLOUR

20253. Adulteration of flour. U. S. v. 6,000 Pounds, etc. (F. D. C. No. 34952.
Sample Nos 15000-L to 15003-L, incl., 61251-L to 61253-L, incl.)

LIBEL FILED: April 16, 1953, District of Kansas.

ALLEGED SHIPMENT: On or about December 22, 1952, and February 25 and March 6 and 10, 1953, from Kansas City, Mo.

PRODUCT: 22,000 pounds of flour in bags of various sizes and 17 100-pound bags of flour at Kansas City, Kans., in the possession of the Nelson Super Merchandise Mart.

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

DISPOSITION: June 9, 1953. Walter H. Nelson, doing business as the Nelson Super Merchandise Mart, 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 for conversion into stock feed, under the supervision of the Department of Health, Education, and Welfare.

20254. Adulteration of flour, rice, and flaked hominy. U. S. v. 5 Bags, etc. (F. D. C. Nos. 34742, 34878. Sample Nos. 34565-L, 34566-L, 34567-L, 34569-L.)

LIBEL FILED: March 6, 1953, Southern District of Illinois.

ALLEGED SHIPMENT: On or about October 23 and December 3, 1952, and January 3, 1953, from Carlisle, Ark., North Kansas City, Mo., and Mount Vernon, Ind.

PRODUCT: 26 100-pound bags of flour, 7 100-pound bags of rice, and 6 50-pound bags of flaked hominy at Bloomington, Ill., in the possession of Campbell Holton & Co.

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

DISPOSITION: April 10, 1953. Default decree of condemnation and destruction.

MACARONI AND NOODLE PRODUCTS

20255. Adulteration of a macaroni product. U. S. v. 16 Cases * * *. (F. D. C. No. 34687. Sample No. 58833-L.)

LIBEL FILED: February 27, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about February 9, 1953, by Milwaukee Macaroni Co., Inc., from Milwaukee, Wis.

PRODUCT: 16 cases, each containing 20 1-pound packages, of a macaroni product at Chicago, Ill.

LABEL, IN PART: (Package) "Pagliacci * * * Cresta Di Gallo."

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

parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

20256. Adulteration of spaghetti. U. S. v. 334 Boxes * * *. (F. D. C. No. 34686. Sample No. 58826-L.)

LIBEL FILED: February 27, 1953, Northern District of Illinois.

ALLEGED SHIPMENT: On or about January 27, 1953, by Milwaukee Macaroni Co., Inc., from Milwaukee, Wis.

PRODUCT: 334 60-pound boxes of spaghetti at Chicago, Ill.

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 parts; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 14, 1953. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

20257. Adulteration and misbranding of egg noodles. U. S. v. 47 Cases * * *. (F. D. C. No. 34064. Sample No. 10573-L.)

LIBEL FILED: September 25, 1952, Northern District of Indiana.

ALLEGED SHIPMENT: On or about August 4, 1952, by St. Louis Macaroni Mfg. Co., Inc., from St. Louis, Mo.

PRODUCT: 47 cases, each containing 12 16-ounce packages, of egg noodles at South Bend, Ind.

LABEL, IN PART: "Kris-Kros * * * Noodle * * * A Pur Egg Product."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, egg yolk, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Contents: * * * not less than 5½% Pure Egg Yolk" was false and misleading as applied to the product, which contained less than 5.5 percent of egg yolk solids; and, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for noodles since the total solids of the article contained less than 5.5 percent by weight of the solids of egg or egg yolk, the minimum permitted by the definition and standard.

DISPOSITION: May 26, 1953. St. Louis Macaroni Mfg. Co., Inc., having appeared as claimant and the facts of the case having been presented to the court by the claimant and by the Government, the court entered a decree of destruction and ordered that such destruction be carried out by delivery of the product to a charitable institution.

MISCELLANEOUS CEREALS*

20258. Adulteration of brewers rice. U. S. v. 600 Bags * * *. (F. D. C. No. 34387. Sample No. 54347-L.)

LIBEL FILED: December 2, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about October 28, 1952, by the Arkansas Rice Growers Association, from De Witt, Ark.

PRODUCT: 600 100-pound bags of brewers rice at Chicago, Ill.

*See also No. 20254.