

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F.N.J. NOS. 25101-25150**

Adulteration, Section 402(a) (2), the article was a raw agricultural commodity, and it contained a pesticide chemical which was unsafe within the meaning of Section 408(a); Section 402(a) (3), the article consisted in part of a filthy or decomposed substance, or it was otherwise unfit for food; Section 402(a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 408(a), a poisonous or deleterious pesticide chemical which is not generally recognized among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity; and no tolerance or exemption from the requirement of a tolerance for such pesticide chemical in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403(a), the labeling of the article was false and misleading; Section 403(e), the article was in package form, and it failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents in terms of weight; Section 403(h) (1), the article purported to be and was represented as a food for which a standard of quality had been prescribed by regulations, and it fell below such standard; and its label failed to bear a statement that it fell below such standard; Section 403(i) (1), the article was not subject to the provisions of Section 403(g), and its label failed to bear the common or usual name of the food.

CEREALS AND CEREAL PRODUCTS

CORNMEAL

25101. Cornmeal. (F.D.C. No. 42141. S. No. 38-424 P.)

QUANTITY: 400 25-lb. bags at Hope, Ark.

SHIPPED: 9-13-58, from St. Joseph, Mo., by Quaker Oats Co.

LABEL IN PART: (Bag) "Aunt Jemima White Corn Meal."

LIBELED: 10-9-58, W. Dist. Ark.

CHARGE: 402(a) (3)—contained rodent urine when shipped.

DISPOSITION: 11-24-58. Default—destruction.

FLOUR

25102. Flour. (F.D.C. No. 41717. S. Nos. 31-597/8 M.)

INFORMATION FILED: 6-20-58, S. Dist. Ohio, against Consolidated Foods Corp., t/a Monarch Finer Foods, Columbus, Ohio, and Earl Heitger, manager.

ALLEGED VIOLATION: Between 5-10-57 and 10-3-57, while quantities of flour were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building that was accessible to rodents and insects and to be exposed to contamination by rodents and insects, which acts resulted in the article being adulterated.

CHARGE: 402(a) (3)—contained urine, insects, insect parts, and insect excreta; and 402(a) (4)—held under insanitary conditions.

PLEA: Guilty.