

**2135. Adulteration of flour. U. S. v. 69 Bags and 96 Bags of Flour. Default decrees of condemnation and destruction. (F. D. C. Nos. 5233, 5464. Sample Nos. 54135-E, 67401-E, 67402-E.)**

On August 1 and 27, 1941, the United States attorneys for the Eastern District of Pennsylvania and the Eastern District of Arkansas filed libels against 69 bags of flour at Philadelphia, Pa., and 96 bags of flour at North Little Rock, Ark., alleging that the article had been shipped in interstate commerce on or about April 2 and July 5, 1941, by the Standard Milling Co. from Chicago, Ill., and Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Tag) "98 Lbs. Net Pie Special Flour Bleached"; "Red Turk Flour"; or "Bread King Flour \* \* \* 98 Lbs."

On September 8 and 24, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**2136. Adulteration of flour. U. S. v. 234 Sacks of Flour. Consent decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 5183. Sample No. 47376-E.)**

This product was insect-infested and in addition had been stored under insanitary conditions as the result of which the bags were dirty and many were caked with flour and covered with mold.

On July 22, 1941, the United States attorney for the Northern District of Illinois filed a libel against 234 sacks of flour at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 27, 1941, by the Wall Rogalsky Milling Co. from McPherson, Kans.; and charging that it was adulterated. The article was labeled in part: (Sacks) "140 Lbs. Kansas Sun Flour."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed substance; and in that it had become contaminated with filth.

On August 15, 1941, the Imperial Baking Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured and disposed of only for nonfood purposes.

**2137. Adulteration of flour. U. S. v. 73 and 96 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5135. Sample No. 37883-E.)**

On or about July 17, 1941, the United States attorney for the Northern District of Florida filed a libel against 73 12-pound bags and 96 24-pound bags of flour at Bonifay, Fla., alleging that the article had been shipped in interstate commerce on or about April 8, 1941, by the Washburn-Crosby Co. from Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "12 [or "24"] Lbs. Prestige Flour Bleached."

On September 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2138. Adulteration of flour. U. S. v. 19 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5186. Sample No. 49431-E.)**

On July 22, 1941, the United States attorney for the Southern District of Texas filed a libel against 19 bags of flour at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about April 28, 1941, by the Centennial Flouring Mills Co. from Tacoma, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: (Bags) "Centennial's Pastry Flour."

On August 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2139. Adulteration of whole wheat flour. U. S. v. 230 Bags of Flour. Consent decree of condemnation. Product ordered released under bond to be remanufactured and relabeled. (F. D. C. No. 5245. Sample No. 25731-E.)**

On July 31, 1941, the United States attorney for the Southern District of Alabama filed a libel against 230 bags of flour at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about April 29, 1941, by Washburn Crosby Co. from Wichita, Kans.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Bags) "King Whole Wheat Flour 98 Lbs."

On August 8, 1941, Malbis Bakery Co., Mobile, Ala., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be manufactured into hog feed and relabeled under the supervision of the Food and Drug Administration.

**2140. Adulteration of rye graham flour. U. S. v. 65 Bags of Rye Graham Flour (and 4 other seizure actions against rye graham flour). Default decrees of condemnation and destruction.** (F. D. C. Nos. 4995, 4996, 4997, 5298, 5832. Sample Nos. 69529-E, 69530-E, 69532-E, 69585-E, 74506-E.)

On June 26, August 5, and September 25, 1941, the United States attorney for the Southern District of New York filed libels against 155 bags of rye graham flour at New York, N. Y., alleging that the article had been shipped within the period from on or about April 22 to on or about August 12, 1941, by A. Katz, Etra Mills, Hightstown, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Tag) "98 Lbs. Net."

On July 18, September 10, and October 18, 1941, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**2141. Adulteration of rye flour. U. S. v. 18 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 5207. Sample No. 47377-E.)

On July 25, 1941, the United States attorney for the Northern District of Illinois filed a libel against 18 bags of flour at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 27, 1941, by the Gadow Milling Co. from Barton, Wis.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Bags) "Pure Dark Rye Flour 98 Lbs. Net."

On August 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**2142. Adulteration of flour and corn meal. U. S. v. 73 Bags of Flour and 22 Bags of Corn Meal. Consent decree of condemnation. Products ordered released under bond.** (F. D. C. No. 5364. Sample No. 47395-E.)

On or about August 20, 1941, the United States attorney for the Northern District of Illinois filed a libel against 69 140-pound bags and 4 98-pound bags of flour and 22 100-pound bags of corn meal at Chicago, Ill., alleging that the articles had been shipped in interstate commerce on or about June 20 and 27, 1941, by the Eagle Roller Mill Co. from New Ulm, Minn.; and charging that they were adulterated. The articles were labeled in part: "Blizzard Flour"; "Pure Med. Rye"; "Gold Coin Whole Wheat Flour"; or "Gold Coin White Corn Meal."

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy substances; and in that they had been held under insanitary conditions whereby they might have become contaminated with filth.

On August 28, 1941, Pivaronas Bros., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the products were ordered released under bond to be disposed of for uses other than human consumption.

**CORN MEAL<sup>1</sup>**

**2143. Adulteration and misbranding of corn meal. U. S. v. Eelbeck Milling Co. and Clifford R. Mehaffey. Pleas of nolo contendere. Corporation fined \$500 on Count I. Clifford R. Mehaffey placed on probation for a period of 5 years.** (F. D. C. No. 4115. Sample Nos. 20451-E, 20857-E.)

This case involved shipments of corn meal which was found to contain rodent excreta, rodent hairs, and fragments of insects.

On June 6, 1941, the United States attorney for the Middle District of Georgia filed an information against the Eelbeck Milling Co., a corporation, Omaha, Ga., and Clifford R. Mehaffey, alleging shipment on or about August 23 and 27, 1940, from the State of Georgia into the State of Florida of quantities of corn meal which was adulterated in that it consisted in whole or in part of a filthy substance.

On September 13, 1941, pleas of nolo contendere having been entered, the court sentenced the corporation to pay a fine of \$500 and placed the individual defendant on probation for a period of 5 years.

<sup>1</sup> See also No. 2142.