

**PRODUCT:** 70 100-pound bags of soyflake flour at Medina, N. Y., in the possession of the H. J. Heinz Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product contained rodent excreta pellets and rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** July 24, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**S133. Adulteration of whole wheat flour and plain flour. U. S. v. 525 Bags of Flour. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16420. Sample Nos. 24372-H, 24373-H.)

**LABEL FILED:** June 9, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about April 27, 1945, by the Kansas Milling Co., from Wichita, Kans.

**PRODUCT:** 500 140-pound bags of plain flour and 25 140-pound bags of whole wheat flour at New Orleans, La.

**LABEL, IN PART:** "Flour Bleached 42 B. K.," or "Bleached Whole-Wheat Flour 42 K. W."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of beetles, larvae, and weevils.

**DISPOSITION:** June 19, 1945. The Great Atlantic and Pacific Tea Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the flour was ordered released under bond to be reprocessed for animal feed (so that it could not be used for human consumption) or destroyed, under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS CEREAL PRODUCTS

**S134. Adulteration of barley. U. S. v. 233 Sacks of Barley. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 16474. Sample No. 32344-H.)

**LABEL FILED:** June 16, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about April 12, 1945, from Chicago, Ill.

**PRODUCT:** 233 100-pound sacks of barley at Los Angeles, Calif., in the possession of the Grocers Packing Co. The article was stored under insanitary conditions after shipment. Rodent pellets and urine stains were observed on the sacks, and examination showed that the article was contaminated with rodent urine.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** July 13, 1945. Leonard Gordon, trading as the Grocers Packing Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**S135. Adulteration of malt barley. U. S. v. 1,040 Bushels of Malt Barley. Consent decree ordering product released under bond.** (F. D. C. No. 16346. Sample No. 6888-H.)

**LABEL FILED:** June 8, 1945, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about April 14, 1945, by the Kurth Malting Co., from Milwaukee, Wis.

**PRODUCT:** 1,040 bushels of malt barley at Brooklyn, N. Y.

**VIOLATION CHARGED:** 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, beetles, larvae, and insect fragments.

**DISPOSITION:** July 24, 1945. The Maltine Co., Brooklyn, N. Y., claimant, having admitted the allegations of the libel, judgment was entered ordering the

product released under bond to be denatured for use as poultry or animal food, under the supervision of the Food and Drug Administration.

**8136. Adulteration of ground buckwheat hulls. U. S. v. 75 Bags of Ground Buckwheat Hulls. Default decree of condemnation and destruction. (F. D. C. No. 16762. Sample No. 18253-H.)**

**LIBEL FILED:** July 10, 1945, Southern District of Iowa.

**ALLEGED SHIPMENT:** On or about April 26, 1945, by Frank H. Blodgett, Inc., from Janesville, Wis.

**PRODUCT:** 75 90-pound bags of ground buckwheat hulls at Des Moines, Iowa.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments.

**DISPOSITION:** August 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8137. Adulteration of corn flakes. U. S. v. 48 Bags of Corn Flakes. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 16179. Sample No. 30965-H.)**

**LIBEL FILED:** May 12, 1945, Southern District of California.

**ALLEGED SHIPMENT:** On or about December 22, 1944, from Decatur, Ill.

**PRODUCT:** 48 bags, each containing 50 pounds, of corn flakes at Los Angeles, Calif., in the possession of the M. E. Bear Co. The product was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent excreta and urine stains were observed on them. Examination showed that the product was contaminated with urine and contained rodent hairs.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** June 29, 1945. The M. E. Bear Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be sold to the motion picture industry to be used for artificial snow, under the supervision of the Food and Drug Administration.

**8138. Adulteration of corn grits and flour. U. S. v. 98 Bags of Grits and 155 Bags of Flour. Consent decrees of condemnation. Products ordered released under bond. (F. D. C. Nos. 16216, 16401. Sample Nos. 24434-H, 24627-H.)**

**LIBELS FILED:** May 21 and June 8, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about December 29, 1944, and February 17, 1945, from Decatur, Ill., and Hudson, Kans.

**PRODUCT:** 98 100-pound bags of grits and 155 100-pound bags of flour at New Orleans, La., in the possession of the Orleans Storage Co. Both products were stored under insanitary conditions after shipment. Some of the bags of grits were rodent-gnawed, and rodent pellets were observed on them and on the bags of flour, which were also urine-stained. Examination showed that the grits contained rodent pellets and rodent hair fragments, and that the flour contained weevils and larvae.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances; and, Section 402 (a) (4), they had been held under insanitary conditions whereby they may have become contaminated with filth.

**DISPOSITION:** August 8, 1945. The Seago-Callender Co. and John E. Koerner & Co., New Orleans, La., claimants, having consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond for conversion into stock feed under the supervision of the Federal Security Agency.

**8139. Adulteration of popcorn. U. S. v. 90 Cartons of Popcorn. Default decree of condemnation and destruction. (F. D. C. No. 16393. Sample No. 19233-H.)**

**LIBEL FILED:** June 2, 1945, District of North Dakota.

**ALLEGED SHIPMENT:** On or about April 9, 1945, by Edward A. Graham, from Chicago, Ill.