

\* \* \* All Purpose Enriched Phosphated Flour Bleached"]," or "Globe 'A1' Flour Enriched Bleached."

**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, pupae, cast skins, insect fragments, weevils, rodent hair fragments, and rodent urine.

**DISPOSITION:** Between October 4, 1944, and July 13, 1945, no claimants having appeared for the Ruston, Cumberland, and Hoboken lots, judgments of condemnation were entered; the Hoboken lot was ordered delivered to a Federal institution, for use as hog feed, and the other lots were ordered destroyed. On January 2, 1945, the McCord Wholesale Grocery Co., Fayetteville, Ark., having appeared and filed a petition for intervention with respect to the Fayetteville lot, an order was entered permitting release of the product under bond, to be reprocessed and denatured under the supervision of the Food and Drug Administration so that the flour could not be used for human consumption. Between November 6, 1944, and August 1, 1945, the Pillsbury Mills, Inc., having appeared as claimant for the Chicago and New Orleans lots, judgments of condemnation were entered and the flour was ordered released under bond for conversion into stock feed under the supervision of the Food and Drug Administration.

**8322. Adulteration of phosphated flour. U. S. v. 314 Bags of Phosphated Flour. Default decree of condemnation. Product ordered denatured and disposed of as stock feed. (F. D. C. No. 15018. Sample No. 20308-H.)**

**LIBEL FILED:** January 22, 1945, Northern District of Oklahoma.

**ALLEGED SHIPMENT:** On or about November 29 and December 20, 1943, by the Arkansas City Flour Mills, from Arkansas City, Kans.

**PRODUCT:** 314 10-pound bags of phosphated flour at Tulsa, Okla.

**LABEL, IN PART:** "Hale's Leader Short Patent Phosphated Flour Bleached."

**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 beetles, larvae, and insect fragments.

**DISPOSITION:** February 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered denatured and disposed of for use as stock feed under the supervision of the Food and Drug Administration.

**8323. Adulteration of rye graham flour. U. S. v. 31 Bags of Rye Graham Flour (and 2 other seizure actions against rye graham flour). Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 14431, 14908, 15053. Sample Nos. 83089-F, 93864-F, 93865-F.)**

**LIBELS FILED:** November 17, 1944, and January 10 and 12, 1945, Southern District of New York.

**ALLEGED SHIPMENT:** On or about October 26 and December 22, 1944, by the Ben Katz Extra Mills, from Hightstown, N. J.

**PRODUCT:** 121 100-pound bags of rye flour, at New York, N. Y. Examination showed the article to contain rodent excreta, rodent hair fragments, insect fragments, weevils, and larvae.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance.

**DISPOSITION:** March 26, 1945. Ben Katz, Hightstown, N. J., and the Cherry Bakeries, Inc., New York, N. Y., claimants for the respective portions of the product, having admitted the allegations of the libels, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be denatured for use as animal feed under the supervision of the Food and Drug Administration.

**8324. Adulteration of whole wheat flour. U. S. v. 32 Bags of Whole Wheat Flour. Default decree of condemnation and destruction. (F. D. C. No. 15080. Sample No. 11102-H.)**

**LIBEL FILED:** January 22, 1945, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about January 18, 1944, from Chambersburg, Pa.

**PRODUCT:** 32 bags, each containing 100 pounds, of whole wheat flour at Watertown, Mass., in the possession of the Gold'n Foods, Inc. This product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the article contained larvae and 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 might have become contaminated with filth.

**DISPOSITION:** March 12, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**8325. Adulteration of whole wheat flour. U. S. v. 12 Bags of Whole Wheat Flour. Default decree of condemnation. Product ordered sold to be denatured.** (F. D. C. No. 14975. Sample No. 89912-F.)

**LIBEL FILED:** January 13, 1945, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about November 9, 1944, from Carthage, Mo.

**PRODUCT:** 12 100-pound bags of whole wheat flour at Memphis, Tenn., in the possession of the National Biscuit Co. The product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. Examination showed that the article contained insect fragments and rodent pellets.

**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 might have become contaminated with filth.

**DISPOSITION:** March 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered sold, conditioned that it should not be disposed of as human food.

**8326. Adulteration of whole wheat flour. U. S. v. 40 Bags of Whole Wheat Flour. Default decree of condemnation. Product ordered delivered to a Government penitentiary, for use as hog feed.** (F. D. C. No. 14999. Sample No. 602-H.)

**LIBEL FILED:** January 22, 1945, Middle District of Georgia.

**ALLEGED SHIPMENT:** On or about November 8, 1944, from Memphis, Tenn.

**PRODUCT:** 40 100-pound bags of whole wheat flour at Columbus, Ga., in the possession of the Colonial Baking Co. The product was stored under insanitary conditions after shipment. The bags were rodent-gnawed, and rodent pellets and urine stains were observed on them. 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 might have become contaminated with filth.

**DISPOSITION:** February 16, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a Federal penitentiary, for use as hog feed.

**8327. Adulteration and misbranding of enriched phosphated flour. U. S. v. 26 Bags of Enriched Phosphated Flour. Default decree of condemnation and destruction.** (F. D. C. No. 12709. Sample No. 61618-F.)

**LIBEL FILED:** June 19, 1944, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about April 24, 1944, by the Burrus Mill and Elevator Co., from Fort Worth, Tex.

**PRODUCT:** 26 bags, each containing 100 pounds, of phosphated flour at New Roads, La.

**LABEL, IN PART:** "Enriched \* \* \* White Dove Flour."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B<sub>1</sub>) and iron, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Enriched \* \* \* Flour" was false and misleading as applied to a product which failed to conform to the definition and standard of identity for enriched flour; and, Section 403 (g), the article failed to conform to the definition and standard for enriched flour, since the definition and standard requires that enriched flour shall contain in each pound not less than 2.0 milligrams of thiamine (vitamin B<sub>1</sub>), and not less than 13.0 milligrams of iron, whereas the article contained approximately 0.64 milligram of thiamine, and 9.0 milligrams of iron per pound.

**DISPOSITION:** March 5, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.