

16156. Adulteration of whole wheat flour. U. S. v. 39 Bags * * *. F. D. C. No. 28856. Sample No. 48803-K.)

LIBEL FILED: February 10, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 1, 1949, from Sheridan, Wyo.

PRODUCT: 39 100-pound bags of whole wheat flour at Scranton, Pa.

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

DISPOSITION: May 5, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as hog feed.

16157. Adulteration and misbranding of enriched flour. U. S. v. Waggoner-Gates Milling Co. Plea of nolo contendere. Fine, \$59. (F. D. C. No. 28159. Sample Nos. 51698-K, 52808-K, 52809-K, 52824-K, 55821-K.)

INFORMATION FILED: April 14, 1950, Western District of Missouri, against the Waggoner-Gates Milling Co., a corporation, Independence, Mo.

ALLEGED SHIPMENT: On or about July 12, August 12 and 26, and September 6, 1949, from the State of Missouri into the States of Kentucky and Oklahoma.

LABEL, IN PART: "Queen of the Pantry Enriched [or "Enriched Self-Rising"] Flour * * * 8 ounces [or "Oz."] of enriched self-rising flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%, Riboflavin 30%, Iron 65%, Calcium 66%, and 8 mg. of Niacin."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents had been omitted in part from the articles. (All of the shipments were deficient in vitamin B₁, and, in addition, two of the shipments were deficient in riboflavin and one shipment was deficient in niacin.)

Misbranding, Section 403 (g) (1), the products failed to conform to the definition and standard of identity for enriched flour and enriched self-rising flour since they contained in each pound less than 2.0 milligrams of thiamine (vitamin B₁), (2 lots only) less than 1.2 milligrams of riboflavin, and (1 lot only) less than 16.0 milligrams of niacin. Further misbranding, Section 403 (a), the label statements "8 ounces * * * contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%, Riboflavin 30%, * * * and 8 Mg. of Niacin" were false and misleading since the products in all shipments contained, in 8 ounces, less than 100% of the minimum daily requirement for vitamin B₁; the product in two of the shipments contained, in 8 ounces, less than 30% of the minimum daily requirement for riboflavin; and the product in one of the shipments contained, in 8 ounces, less than 16.0 milligrams of niacin.

DISPOSITION: April 21, 1950. A plea of nolo contendere having been entered, the defendant was fined \$59.

MACARONI AND NOODLE PRODUCTS

16158. Adulteration of macaroni products. U. S. v. Luso-American Macaroni Mfg. Co. and Antonio J. Pereira. Pleas of guilty. Each defendant