

ALLEGED SHIPMENT: Between the approximate dates of October 12 and November 15, 1949, from the State of Illinois into the States of Michigan, Indiana, New York, and Minnesota.

LABEL, IN PART: "Elam's Stone Ground Yellow Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, insects, and insect fragments.

DISPOSITION: January 9, 1951. Pleas of guilty having been entered, the court fined each defendant \$150, plus costs.

16854. Adulteration of corn meal. U. S. v. 25 Bales, etc. (F. D. C. No. 29781. Sample No. 81936-K.)

LIBEL FILED: October 3, 1950, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about March 2, 1950, from Birmingham, Ala.

PRODUCT: Corn meal. 25 bales, each containing 5 10-pound packages, and 3 bales, each containing 8 5-pound packages, at Marion, S. C.

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 insects. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 8, 1950. Default decree of condemnation. The product was delivered to an institution, for use as hog feed.

FLOUR

16855. Adulteration of flour and corn meal. U. S. v. Anderson & Spilman, William C. Anderson, Clifton R. Anderson, and Gerald Butler. Pleas of nolo contendere. Fine of \$50, plus costs, against defendants as a partnership. Order of probation entered in previous case against partnership revoked; partnership ordered to pay fine of \$500, plus costs, which had been suspended upon entry of order of probation. (F. D. C. No. 26322. Sample Nos. 44510-K, 44511-K.)

INFORMATION FILED: January 27, 1949, Eastern District of Kentucky, against Anderson & Spilman, a partnership, Danville, Ky., and William C. Anderson, Clifton R. Anderson, and Gerald Butler, partners in the partnership.

ALLEGED SHIPMENT: On or about September 2 and 16, 1948, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: "Danville Roller Mills Snow Flake Highest Patent Flour Anderson & Spilman Danville, Ky." and "Snow Flake White Bolted Corn Meal Manufactured By Anderson & Spilman Danville, Kentucky."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of larvae, larval fragments, insect fragments, rodent hair fragments, and rodent excreta fragments; and, Section 402 (a) (4), they had been prepared and packed under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: June 29, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of \$50, plus costs, against the defendants as a partnership. In addition, the court revoked the order of probation which had been entered

against the partnership in the case reported in notices of judgment on foods, No. 11707, and ordered the partnership to pay the fine of \$500, plus costs, which had been suspended by the order of probation.

16856. Action to enjoin and restrain the interstate shipment of flour. U. S. v. Swoope Milling Co., Inc., and William I. Mays. Preliminary injunction granted; subsequently dismissed. (Inj. No. 225.)

COMPLAINT FILED: March 21, 1950, Western District of Virginia, against Swoope Milling Co., Inc., Swoope, Va., and William I. Mays, plant manager.

NATURE OF CHARGE: That the defendants had been, and were at the time, introducing and delivering for introduction into interstate commerce, at Swoope, Va., flour which was adulterated in the following respects: Section 403 (a) (3), the flour consisted in part of filthy substances such as insect fragments, mites, setae, insect larval head capsules, rodent hairs, rodent hair fragments, and feather fragments; and, Section 402 (a) (4), the flour had been, and was still being, prepared and held under insanitary conditions whereby it may have become contaminated with filth.

The complaint alleged further that the insanitary conditions of the defendant's plant consisted in, and resulted from, the presence of rodents and insects in and around the machinery and equipment used for preparing the flour, and the presence of rodents in flour storage bins and in other parts of the plant, and in and about silos used for storing wheat from which the flour was prepared.

PRAYER OF COMPLAINT: That the defendants be perpetually enjoined from the acts complained of, and that a preliminary injunction be granted during the pendency of the action.

DISPOSITION: On May 19, 1950, a preliminary injunction was entered, enjoining the defendants and their agents, representatives, servants, and attorneys, and all persons in active concert or participation with any of them, from directly or indirectly introducing or delivering, or causing to be introduced or delivered, for introduction into interstate commerce, flour and enriched flour which were adulterated. The decree provided that the injunction, unless sooner enlarged or revoked, should expire 90 days from the date of entry.

On August 18, 1950, the preliminary injunction was extended for a further period of 90 days; and on December 11, 1950, the injunction proceedings were dismissed at the costs of the defendants.

MACARONI AND NOODLE PRODUCTS

16857. Adulteration of macaroni and egg noodles. U. S. v. St. Louis Macaroni Mfg. Co., Inc. Plea of guilty. Fine, \$501. (F. D. C. No. 29655. Sample Nos. 76668-K, 76669-K, 84460-K.)

INFORMATION FILED: December 1, 1950, Eastern District of Missouri, against St. Louis Macaroni Mfg. Co., Inc., St. Louis, Mo.

ALLEGED SHIPMENT: On or about August 1 and 3, 1950, from the State of Missouri into the States of Ohio and Illinois.

LABEL, IN PART: "St. Louis Brand Macaroni [or "Pure Egg Noodles"] St. Louis Macaroni Mfg. Co., Inc., St. Louis, Mo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of larvae, insects, insect fragments, rodent excreta pellets, and rodent hair fragments; and, Section