

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 6-28-62. Consent—claimed by Cook Coffee Co., and released under bond for reweighing and repacking.

CEREALS AND CEREAL PRODUCTS

FLOUR

28208. Flour. (F.D.C. No. 46653. S. No. 80-496 R.)

INFORMATION FILED: 1-4-62, Dist. Mass., against Mazzola Bros. Bakery Trust, a trust, Nazzareno Mazzola, and Domenic J. Mazzola, individuals.

ALLEGED VIOLATION: Between 5-25-61 and 6-28-61, while quantities of flour were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building accessible to insects and to be exposed to the contamination of insects, by placing the flour in insect-contaminated flour-conveying equipment in said building, which acts resulted in the article being adulterated.

CHARGE: 402(a)(3)—contained insects and insect parts; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-21-62. Trust—\$500 fine; each individual—probation for 6 months.

28209. Flour. (F.D.C. No. 46675. S. No. 57-010 R.)

INFORMATION FILED: 4-23-62, Dist. Minn., against La Grange Mills, a corporation, Red Wing, Minn., Louis W. Back, president, and Earl F. Holmquist, head miller.

SHIPPED: 4-22-61, from Minnesota to New York.

LABEL IN PART: (Bags) "100 LBS. NET Distributor Jacob Kulla Sons New York Riverside Choice Spring Patent Flour Bleached-Bromated-Enriched."

RESULTS OF INVESTIGATION: Analysis of the article showed it to be deficient in the enrichment ingredients.

CHARGE: 402(b)(1)—valuable constituents, thiamine, riboflavin, niacin, and iron had been in part omitted from the article; and 403(g)(1)—the article purported to be and was represented as enriched bromated flour, a food for which a definition and standard of identity had been prescribed by regulations and the article failed to conform to the definition and standard of identity.

PLEA: Guilty.

DISPOSITION: 4-23-62. Corporation—\$1,000 fine; Holmquist—\$50 fine; Back—\$50 fine.

28210. Flour. (F.D.C. No. 47089. S. No. 6-694 T.)

INFORMATION FILED: 4-24-62, Dist. Conn., against Arthur T. Makris, t/a Empire Baking Co., Hartford, Conn.

ALLEGED VIOLATION: On 10-10-61, the defendant caused quantities of flour, while held for sale after shipment in interstate commerce, to be held in a building accessible to insects and to be exposed to contamination by insects by placing the flour in insect-contaminated flour-conveying equipment, which acts resulted in the article being adulterated.

CHARGE: 402(a) (3)—contained insects and insect parts; and 402(a) (4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 6-18-62. \$500 fine.

28211. Flour. (F.D.C. No. 46729. S. Nos. 82-455/6 R, 95-464 R, 27-101 T, 27-103 T.)

INFORMATION FILED: 5-4-62, N. Dist. Tex., against Dixie Cream Donut Flour Co., a corporation, Dallas, Tex., and W. Kenneth Vaughn, secretary-treasurer.

ALLEGED VIOLATION: Between 2-15-61 and 8-4-61, the defendants caused quantities of flour, while held for sale after shipment in interstate commerce, to be held in a building accessible to insects and to be exposed to contamination by insects, which acts resulted in the articles being adulterated. Between 7-13-61 and 8-4-61, the defendants caused to be introduced into interstate commerce at Dallas, Tex., for delivery to Winfield and Wichita, Kans., and Ponca City, Okla., quantities of flour which were adulterated.

LABEL IN PART: (Bag) "Net Weight 100 Lbs. Dixie Cream Cake Donut Flour Made by Dixie Cream Donut Flour Co. Dallas, Texas." and "100 Lbs. Net Dixie Cream Donut Flour Dixie Cream Donut Flour Co. Dallas, Texas."

CHARGE: 402(a) (3)—Portions of the article contained insects and insect fragments; and 402(a) (4)—all lots of the article were prepared, packed, or held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 6-20-62. Corporation—\$500 fine; probation for 3 years. Vaughn—\$500 fine; probation for 3 years.

28212. Flour. (F.D.C. No. 47523. S. No. 55-507 T.)

QUANTITY: 399 100-lb. bags, at Ponce, P.R., in possession of Alcoa Steamship Co., Inc., warehouse.

SHIPPED: 4-16-62, from New Orleans, La.

LIBELED: 6-6-62, Dist. P.R.

CHARGE: 402(a) (3)—contained insects and insect larvae; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 8-2-62. Default—destruction.

28213. Flour. (F.D.C. No. 47687. S. Nos. 77-311/14 T, 77-316 T.)

QUANTITY: 50 10-lb. bags and 96 25-lb. bags, at Marietta, Ga., in possession of Simpson Andrews Co.

SHIPPED: Between 10-31-61 and 5-29-62, from Cleveland, Tenn., and Trenton, Ill.

LIBELED: 6-22-62, N. Dist. Ga.

CHARGE: 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 8-14-62. Default—denatured for use as animal feed.

28214. Flour and cornmeal. (F.D.C. No. 47111. S. Nos. 18-677/8 T.)

INFORMATION FILED: 5-18-62, E. Dist. Okla., against Palmer-Swadley Wholesale Grocery, a partnership, and Guy Swadley, Jr., a partner, Eufaula, Okla.