

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.

**ALLEGED VIOLATION:** Between 10-12-61 and 11-16-61, the defendants caused quantities of flour and cornmeal, while held for sale after shipment in interstate commerce, to be placed in a building accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.

**CHARGE:** 402(a)(3)—the flour contained rodent urine; and 402(a)(4)—both articles were held under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 5-29-62. Firm—\$100 fine; Swadley—\$100 fine.

**28215. Potato flour.** (F.D.C. No. 47477. S. No. 30-631 T.)

**QUANTITY:** 100 100-lb. bags, at Jerome, Idaho.

**SHIPPED:** 4-4-62, from Los Angeles, Calif. This was a return shipment.

**LABEL IN PART:** "Lectone \* \* \* King of Spuds \* \* \* Pure Potato Flour Packed by Potato Products Corp. East Grand Forks, Minn."

**LIBELED:** 5-2-62, Dist. Idaho.

**CHARGE:** 402(a)(3)—contained insects, insect larvae, and insect fragments when shipped.

**DISPOSITION:** 7-24-62. Default—delivered to a State institution for use as animal feed.

**28216. Soya flour.** (F.D.C. No. 47732. S. Nos. 80-411/12 T.)

**QUANTITY:** 321 50-lb. sacks and 37 100-lb. sacks, at Dallas, Tex.

**SHIPPED:** 9-15-61, from Chicago, Ill.

**LIBELED:** 7-17-62, N. Dist. Tex.

**CHARGE:** 402(a)(3)—while held for sale, contained insects.

**DISPOSITION:** 8-2-62. Consent—claimed by Central Soya Co., of Ft. Wayne, Ind., and converted into animal feed.

### MACARONI AND NOODLE PRODUCTS

**28217. Macaroni.** (F.D.C. No. 47250. S. Nos. 15-390/91 T.)

**QUANTITY:** 1,043 cases, 4 boxes each, at Columbus, Ohio.

**SHIPPED:** Between 4-12-61 and 7-26-61, from Brooklyn, N.Y.

**LIBELED:** 3-19-62, S. Dist. Ohio.

**CHARGE:** 402(a)(3)—contained insects while held for sale.

**DISPOSITION:** 6-8-62. Default—destruction.

**28218. Noodles.** (F.D.C. No. 46976. S. No. 51-218 T.)

**QUANTITY:** 57 cases, 6 24-oz. bags each, at Milwaukie, Oreg.

**SHIPPED:** 11-7-61 and 11-24-61, from Seattle, Wash., by Major Italian Foods.

**LABEL IN PART:** (Bag) "Majorette Brand Family Pak Egg Noodles, Net Weight 24 ounces Major Italian Foods, Seattle, Washington—Containing 5.5% or more of U.S. Dept. Ag. Graded Egg Yolks."

**RESULTS OF INVESTIGATION:** Examination showed that the article contained less than the declared amount of egg yolks.

**LIBELED:** On or about 1-30-62, Dist. Oreg.