

3856. Adulteration of flour. U. S. v. 8 Sacks of Flour (and 12 additional seizure actions against flour). Decrees of condemnation. Portions of product ordered released under bond to be denatured and disposed of as animal feed. Remainder ordered destroyed or denatured. (F. D. C. Nos. 7813, 7839, 7899, 7937, 7991, 8055, 8056, 8257 to 8260, incl., 8332, 8381. Sample Nos. 82106-E, 82108-E, 8910-F, 8911-F, 8912-F, 8914-F, 8916-F, 17830-F, 28114-F, 28602-F, 28608-F, 28609-F, 28618-F, 28623-F.)

Between July 1 and September 18, 1942, the United States attorneys for the Southern District of Florida, Southern District of Texas, and the Eastern District of New York filed libels against 22 98-pound sacks of flour at Miami, Fla., 227 5-pound sacks and 372 98-pound sacks of flour at Jacksonville, Fla., 29 98-pound sacks of flour at Orlando, Fla., 8 98-pound sacks and 4 48-pound sacks at Tampa, Fla., 20 98-pound sacks of flour at Sanford, Fla., 116 98-pound sacks of flour at Houston, Tex., and 6 140-pound sacks of flour at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about January 8, 1942, to on or about July 15, 1942, by the Pillsbury Flour Mills Co. from Memphis, Tenn., Enid, Okla., Springfield, Ill., Minneapolis, Minn., and Ogden, Utah; and charging that it was adulterated. The article was labeled in part: "Pillsbury's Hotel and Restaurant H R Flour Bleached General Purpose"; "Pillsbury's Best XXXX All-Purpose Enriched Phosphated Flour Bleached"; "Old Mill Flour Bleached"; "Pillsbury's Pure [or "Medium"] Dark Rye Flour"; "Pillsbury's Special Medium Rye Flour"; "Pillsbury's Whole Wheat (fine ground) Flour"; "Pillsbury's Pure White Rye Flour"; or "Pillsbury's Picrust Flour Bleached."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance.

On August 10 and October 8, 1942, C. W. Zaring and Co., Jacksonville, Fla., and J. Weingartner, Inc., Houston, Tex., having appeared as claimants, respectively, for 372 sacks of flour at Jacksonville and 51 sacks at Houston, judgments of condemnation were entered and the product covered by the seizures was ordered released under bond to be denatured and disposed of as animal feed. Between August 8, 1942, and January 6, 1943, no claimant having appeared for the remaining 11 lots, judgments of condemnation were entered and the flour located at Houston was ordered delivered to individuals to be denatured at their own expense under the supervision of the Food and Drug Administration and disposed of as animal feed and the remaining lots were ordered destroyed.

3857. Adulteration of flour. U. S. v. 43 Sacks of Flour. Default decree of condemnation and destruction. (F. D. C. No. 7629. Sample No. 70379-E.)

On or about June 29, 1942, the United States attorney for the Northern District of Florida filed a libel against 43 sacks of flour at Panama City, Fla., alleging that the article had been shipped in interstate commerce, in part on or about March 31, 1941, and in part some time during the year 1941, by the Ph. H. Postel Milling Co., from Mascoutah, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Jack's Special Plain Flour."

On July 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3858. Adulteration of flour. U. S. v. 40 Bags of Flour (and 7 other seizure actions against flour). Decrees of condemnation. One lot ordered released under bond to be denatured. Remainder ordered destroyed with the exception of one lot which was ordered delivered to a charitable institution for use as hog or cattle feed. (F. D. C. Nos. 7948, 8048, 8102, 8108, 8186, 8274, 8282, 8423. Sample Nos. 9221-F to 9224-F, incl., 9229-F to 9231-F, incl., 9233-F, 9431-F, 17803-F, 17817-F, 17827-F, 29017-F.)

Between July 21, 1942, and September 24, 1942, the United States attorneys for the District of New Jersey, Eastern District of New York, Southern District of New York, Eastern District of Louisiana, Southern District of Georgia and Southern District of Mississippi filed libels against 48 98-pound bags of flour at Jersey City, N. J., 27 98-pound bags of flour at Brooklyn, N. Y., 167 140-pound bags of flour at Maspeth, L. I., N. Y., 35 98-pound bags, 94 48-pound bags, 112 24-pound bags and 187 6-pound bags of flour at Donaldsonville, La., 106 20-pound bags, 99 24-pound bags, and 30 98-pound bags of flour at Baton Rouge, La., 70 12-pound bags of flour at Brunswick, Ga., and 74 98-pound bags of flour at Brookhaven, Miss., alleging that the article had been shipped in interstate commerce within the period from on or about January 31, 1942, to on or about August 5, 1942, by the General Mills, Inc., from Buffalo, N. Y., Minneapolis, Minn., Wichita Falls, Tex., Jacksonville, Fla., Wichita, Kans., and Oklahoma City, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy

substance. The article was labeled in part: (Bags) "Pecco Fancy Clear Bleached Flour Packed for J. Pechman & Co., Inc., New York, N. Y."; "Washburn Crosby * * * Radio Rye Flour Bleached"; "Hi-Protein Type Gold Medal Whole Wheat Flour"; "Washburn's Gold Medal * * * Enriched Self-Rising Flour"; "Texoka * * * 100% Whole Wheat Flour"; "Reliance Brand Phosphated Flour Bleached Packed for Consolidated Companies, Inc. Plaquemine, La."; "Enriched with Vitamins and Iron * * * Washburn Crosby Flour * * * Bleached Self-Rising Gold Medal Flour"; or "Bottom Dollar Bleached Self-Rising Flour," (sack) "Bleached Flour * * * Okoma Special."

On November 23, 1942, J. Pechman & Co., Inc., Maspeth, N. Y., claimant for the flour seized at that point, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for denaturing under the supervision of the Food and Drug Administration and disposition for uses other than human consumption.

Between August 4, 1942, and December 9, 1942, no claimant having appeared for the flour in the remaining seizures, judgments of condemnation were entered and the lot located at Brunswick was ordered delivered to a local charitable institution to be denatured and fed to cattle or hogs and the remaining lots were ordered destroyed.

3859. Misbranding of flour. U. S. v. 304 Bags and 360 Bags of Flour. Decree of condemnation. Product ordered released under bond to be resacked and relabeled. (F. D. C. No. 7605. Sample Nos. 78111-E, 78112-E.)

This product was short of the declared weight.

On June 4, 1942, the United States attorney for the Northern District of West Virginia filed a libel against 304 5-pound bags and 360 10-pound bags of flour at Wheeling, W. Va., alleging that the article had been shipped in interstate commerce within the period from on or about February 16 to on or about March 20, 1942, by the Weber Flour Mills Co. from Salina, Kans.; and charging that it was misbranded. The article was labeled in part: "5 [or "10"] lbs. IGA Brand Family Flour Bleached * * * Packed for Independent Grocers Alliance Distributing Co., Chicago."

The article was alleged to be misbranded in that the statements "5 lbs." and "10 lbs." were false and misleading and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On July 27, 1942, the Weber Flour Mills Co., and Zarnitz Bros. Grocery Co., Wheeling, W. Va., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be resacked and relabeled under the supervision of the Food and Drug Administration.

CORN MEAL

3860. Adulteration of corn meal. U. S. v. 23 and 3 Bags of Corn Meal. Default decree of condemnation. Product ordered denatured and disposed of as hog feed. (F. D. C. No. 7954. Sample No. 4702-F.)

This product contained rodent hairs and rodent excreta fragments.

On July 22, 1942, the United States attorney for the Southern District of Ohio filed a libel against 23 100-pound bags and 3 25-pound bags of corn meal at Cincinnati, Ohio, alleging that the article which had been consigned on or about July 8, 1942, had been shipped in interstate commerce by the Dorsel Co. from Newport, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On August 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On September 16, 1942, a supplemental decree was entered providing that the product be given to a public institution to be denatured and used as hog feed.

3861. Adulteration of corn meal. U. S. v. 132 Bags of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 7635. Sample No. 79697-E.)

This product contained rodent excreta fragments and rodent hairs.

On June 9, 1942, the United States attorney for the Eastern District of Kentucky filed a libel against 132 bags of corn meal at Lothair, Ky., alleging that the article had been introduced into and transported in interstate commerce from the place of business of Jake Swarthout, Vernon, Ind., on or about May 27, 1942,