

On December 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered denatured for use as animal feed and delivered to a county institution.

5429. Adulteration of flour. U. S. v. 135 Bags and 738 Bags of Flour. Consent decree of condemnation. Product ordered released under bond, or upon deposit of cash collateral, for segregation of good portion and treatment of unfit portion so that it could not be used for human consumption. (F. D. C. No. 10108. Sample Nos. 23430-F, 23431-F.)

This product had been stored under insanitary conditions after shipment. Many of the bags were rodent-gnawed, and numerous mouse pellets and gnawed paper were found throughout the storage room. Examination of samples showed the bags and flour were contaminated with rodent hair, rodent excreta, and urine.

On June 17, 1943, the United States attorney for the District of New Jersey filed a libel against 873 bags of flour at Bridgeton, N. J., alleging that the article had been shipped from Buffalo, N. Y., within the period from on or about October 2, 1942, to March 31, 1943, and that it remained in interstate commerce in the possession of Home Town Stores, Inc., Bridgeton, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, i. e., flour contaminated with rodent hairs, rodent excreta, and urine; and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On September 28, 1943, Home Town Stores, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released upon the deposit of cash collateral, or the execution of a bond, conditioned that the good portion be segregated and that the unfit portion be treated so that it could not be used for human consumption, all under the supervision of the Food and Drug Administration.

5430. Adulteration of flour. U. S. v. 450 Bags of Flour. Consent decree of condemnation. Product ordered released under bond for reprocessing into animal feed. (F. D. C. No. 10461. Sample No. 28037-F.)

On August 23, 1943, the United States attorney for the Northern District of Georgia filed a libel against 450 bags of flour at Atlanta, Ga., alleging that the article had been shipped on or about February 15, 1943, by the Barnes Milling Co. from Beaver Dam, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance by reason of the presence therein of weevils, larvae, and cast skins. The article was labeled in part: "White Parrot Short Patent Flour."

On October 12, 1943, the Joe Seitz Wholesale Grocery Co., Atlanta, Ga., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprocessing into animal feed under the supervision of the Food and Drug Administration.

5431. Adulteration of flour. U. S. v. 49 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 10454. Sample No. 28035-F.)

On August 21, 1943, the United States attorney for the Northern District of Georgia filed a libel against 49 bags of flour at Atlanta, Ga., alleging that the article had been shipped on or about April 29, June 17, and July 21, 1943, 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 by reason of the presence therein of larvae and cast skins. The article was labeled in part: "Ph. H. Postel's Elegant Soft Winter Wheat Bleached Flour."

On September 28, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Destruction was effected by delivery of the product to a Federal institution for use as hog feed.

5432. Adulteration of flour. U. S. v. 26 Barrels and 72 Barrels of Flour. Default decree of condemnation. Product ordered delivered to a representative of the Food and Drug Administration. (F. D. C. No. 10329. Sample Nos. 41021-F, 41022-F.)

Examination showed that this article contained insects, larvae, pupae, and larva cast skins.

On July 27, 1943, the United States attorney for the Western District of Texas filed a libel against 26 300-pound barrels and 72 250-pound barrels of flour at San Antonio, Tex., alleging that the article, which had been consigned by the Griffith Laboratories, Omaha, Nebr., had been shipped on or about January 18 and February 10, 1943, in interstate commerce; 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: (26 barrels) "Griffith's Golden Cereal Binder Fine," or (72 barrels) "Griffith's Gelatinous Processed From Select Maize Processed Sausage Flour."

On September 26, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a representative of the Food and Drug Administration. The product was thereafter denatured and distributed to charitable institutions for use as animal feed.

5433. Adulteration of enriched flour and enriched self-rising flour. U. S. v. 73 Bags and 24 Bags of Flour. Default decrees of condemnation and destruction. (F. D. C. Nos. 10375, 10434. Sample Nos. 34555-F, 40920-F.)

This product contained one or more of the following filthy substances: Insects, larvae, and cast skins.

On or about August 11 and 18, 1943, the United States attorneys for the Southern District of Florida and the Eastern District of Louisiana filed libels against 73 bags of flour at Jacksonville, Fla., and 24 bags of flour at New Orleans, La., alleging that the article had been shipped on or about March 3 and 15, 1943, from Louisville, Ky., by Ballard & Ballard Co.; 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: (Bag) "Ballard's Obelisk Flour," or "Balloon Enriched Self-Rising Flour. * * * Pioneer Mills Louisville, Kentucky."

On September 13 and October 18, 1943, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

5434. Adulteration of whole wheat flour. U. S. v. 27 Bags of Whole Wheat Flour. Decree of condemnation and destruction. (F. D. C. No. 10421. Sample No. 52894-F.)

Examination showed that this product contained insects, larvae, cast skins, larvae head capsules, insect fragments, and mites.

On August 16, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 27 bags, each containing 98 pounds, of whole wheat flour at Norfolk, Va., alleging that the article had been shipped on or about February 20 and March 10, 1943, from Detroit, Mich., by the Henkel Flour Mills (Commercial Milling Co.); 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: (Bag) "Henkel's Extra Fancy 100% Whole Wheat Flour."

On October 20, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MISCELLANEOUS CEREAL PRODUCTS

5435. Adulteration of barley. U. S. v. 5 Bags of Barley. Default decree of condemnation and destruction. (F. D. C. No. 10874. Sample No. 34274-F.)

On October 5, 1943, the United States attorney for the Western District of Pennsylvania filed a libel against 5 100-pound bags of barley at Sharon, Pa., alleging that the article had been shipped in interstate commerce on or about April 9, 1943, by the Quaker Oats Co. from Akron, Ohio; and charging that it was adulterated in that it consisted in whole or in part of filthy substances by reason of the presence therein of insects, larvae, and insect fragments. The article was labeled in part: "Schumacher * * * Chester Pearl Barley."

On November 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5436. Adulteration of corn flakes. U. S. v. 45 Bags of Corn Flakes. Default decree of condemnation and destruction. (F. D. C. No. 10199.) Sample No. 39211-F.)

On July 5, 1943, the United States attorney for the Southern District of California filed a libel against 45 bags of corn flakes at Los Angeles, Calif., alleging that the article had been shipped on or about March 24, 1943, in interstate commerce, by the Decatur Milling Co. from Decatur, Ill.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, i. e., larvae, insects, and webbing. The article was labeled in part: (Bags) "Hexagon Brand Cream of Maize * * * Bakers and Confectioners Corn Flakes."

On September 7, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.