

was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On January 26, 1944, Henry Bresky & Sons, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for denaturing and use as animal feed.

5619. Adulteration of flour. U. S. v. 22 Bags of Flour. Decree of condemnation and destruction. (F. D. C. No. 10712. Sample No. 52826-F.)

This product had been stored under insanitary conditions after shipment Rodent excreta and what appeared to be rodent urine stains were found on the bags, and one of the bags examined had been gnawed by rodents. Examination of samples taken from this lot showed that it contained rodent pellets, rodent hairs, larvae, cast skins, and insect fragments.

On or about September 10, 1943, the United States attorney for the Eastern District of Virginia filed a libel against 22 bags of flour at Norfolk, Va., alleging that the article, which was in the possession of C. E. Herbert & Sons, Inc., had been shipped on or about February 24, 1943, from Red Wing, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

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

5620. Adulteration of white flour, rye flour, whole wheat flour, and self-rising flour. U. S. v. 4 Sacks and 16 Sacks of Whole Wheat Flour (and 8 other seizure actions against flour). Decrees of condemnation entered in all cases. Portion of product ordered released under bond for disposition as animal feed; one lot ordered delivered to a public institution for use as animal feed; remaining lots ordered destroyed. (F. D. C. Nos. 10354, 10442, 10460, 10660, 10661, 10872, 11002, 11179, 11196. Sample Nos. 21929-F, 21930-F, 28038-F to 28042-F, incl., 33977-F, 35530-F, 35705-F to 35707-F, incl., 49002-F, 50113-F, 56361-F, 56362-F.)

One lot of this product was stored under insanitary conditions and was contaminated with rodent excreta and urine. The remainder contained one or more of the following filthy substances: Larvae, cast skins, pupae, weevils, insects, insect fragments, and rodent hair fragments.

Between August 2 and December 3, 1943, the United States attorneys for the District of New Jersey, Western District of Pennsylvania, Northern District of Georgia, Western District of North Carolina, Southern District of Indiana, and the Northern District of Ohio, filed libels against the following quantities of flour: 10 100-pound sacks at Newton, N. J.; 11 98-pound sacks at Erie, Pa.; 80 100-pound sacks at Charlotte, N. C.; 544 6-pound, 876 12-pound, 240 24-pound, and 60 98-pound sacks at Atlanta, Ga.; 108 98-pound sacks at Indianapolis, Ind.; 52 49-pound sacks at Canfield, Ohio; and 73 100-pound sacks and 34 50-pound sacks at Ellwood City, Pa., alleging that the article had been shipped within the period from on or about December 29, 1942, to August 12, 1943, by General Mills, Inc., from Buffalo, N. Y., Johnson City, Tenn., Louisville, Ky., Kansas City, Mo., Minneapolis, Minn., and Chicago, Ill.; and charging that it was adulterated. The article was labeled in part: "Hi-Protein Type * * * Gold Medal Whole Wheat Flour," "Wheat-A-Laxa Whole Wheat Flour," "Pure Rye Hofmuller Dark," "Fluffy White * * * Bleached Enriched Self-Rising * * * Royal Milling Company of General Mills, Inc.," "Sperry Drifted Snow Home Perfected Enriched," "Best Bet Bleached Self-Rising Flour * * * Humboldt Flour Company (Trade Name) of General Mills, Inc.," "Red Star Perfect Process Vitamin and Iron Enriched * * * Red Star Milling Company (Trade Name) of General Mills, Inc.," "Rogers Circus Brand * * * Distributed by Colonial Stores Incorporated," "Red Band Company (Trade Name) of General Mills, Inc. * * * Bleached Enriched Self-Rising Flour," "PurAsnow Vitamin and Iron Enriched," or "Gold Medal Iron Duke."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy substance. The lot at Canfield, Ohio, was alleged to be adulterated further in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On October 12 and November 6, 1943, and January 15, 1944, Colonial Stores, Inc., Charlotte, N. C., the South Side Baking Co., Inc., Indianapolis, Ind., and the Joe Seitz Wholesale Grocery Co., Atlanta, Ga., having appeared as claimants, respectively, for the flour at Charlotte, and Indianapolis, and 200 12-pound