

15756. Adulteration of flour. U. S. v. 29 Bags * * *. (F. D. C. No. 27573. Sample No. 47815-K.)

LIBEL FILED: July 15, 1949, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about January 14, 1949, from Springfield, Ill.

PRODUCT: 29 100-pound bags of flour at Fredericksburg, Va., in possession of Snellings & Minor Wholesale Grocery.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 26, 1949. Snellings & Minor Wholesale Grocery, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be denatured and used as stock feed, under the supervision of the Food and Drug Administration.

15757. Adulteration of self-rising flour and plain flour. U. S. v. 49 Bags, etc. (F. D. C. No. 27775. Sample Nos. 1593-K to 1595-K, incl.)

LIBEL FILED: On August 22, 1949, Northern District of Florida.

ALLEGED SHIPMENT: On or about May 31, June 14 and 30, and July 3, 1949, from Arkansas City, Kans., Enid, Okla., and Springfield, Ill.

PRODUCT: 49 10-pound bags and 25 25-pound bags of self-rising flour and 7 100-pound bags of plain flour at Gainesville, Fla., in possession of the Gainesville Wholesale Grocery Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3) the plain flour consisted in whole or in part of a filthy substance by reason of the presence of insects and larvae, and the self-rising flour consisted in whole or in part of a filthy substance by reason of being contaminated with urine; and, Section 402 (a) (4), the self-rising flour had been held under insanitary conditions whereby it may have become contaminated with filth. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: October 14, 1949. Default decree of condemnation. The court ordered that the products be delivered to a Federal institution, for use as livestock feed.

15758. Adulteration of rye flour, whole wheat flour, steel cut oats, and rolled oats. U. S. v. 14 Bags, etc. (and 2 other seizure actions). (F. D. C. No. 28041. Sample Nos. 32097-K to 32102-K, incl.)

LIBELS FILED: October 19, 1949, Northern District of California.

ALLEGED SHIPMENT: On or about July 27 and August 8 and 26, 1949, from Minneapolis, Minn., and Portland and Astoria, Oreg.

PRODUCT: 14 45-pound bags and 43 22½-pound bags of rolled oats; 18 100-pound bags of steel cut oats; 68 100-pound bags of whole wheat flour; and 64 100-pound bags of rye flour at Sacramento, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances. (They were contaminated with rodent urine.) Further adulteration, Section 402 (a) (4), the articles had been held under insanitary conditions whereby they may have become contaminated with filth. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 23, 1949. Pillsbury Mills, Inc., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the court ordered that the products be released under bond for segregation of the unfit portions and their conversion into animal feed, under the supervision of the Food and Drug Administration.

MACARONI AND NOODLE PRODUCTS

15759. Adulteration of macaroni products. U. S. v. Italo-French Produce Co. and Elmer A. Teyssier. Pleas of guilty. Fine of \$500 against company and \$100 against individual, plus costs. (F. D. C. No. 28183. Sample Nos. 68904-K, 68905-K, 68907-K, 68909-K.)

INFORMATION FILED: November 22, 1949, Western District of Pennsylvania, against the Italo-French Produce Co., a corporation, Pittsburgh, Pa., and Elmer A. Teyssier, secretary-treasurer of the corporation.

ALLEGED SHIPMENT: On or about September 14, 1949, from the State of Pennsylvania into the State of West Virginia.

LABEL, IN PART: (Packages) "Arco Brand The Cream of Real Durum Wheat" and "Arco Brand Macaroni Products."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in part of filthy substances by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), they had been prepared under insanitary conditions whereby they may have become contaminated with filth.

DISPOSITION: January 18, 1950. Pleas of guilty having been entered, the court imposed a fine of \$500 against the company and a fine of \$100 against the individual, plus costs.

15760. Adulteration and misbranding of enriched macaroni. U. S. v. 24 Cases * * *. (F. D. C. No. 23858. Sample No. 32006-K.)

LIBEL FILED: October 22, 1947, Territory of Hawaii.

ALLEGED SHIPMENT: On or about September 23, 1947, by Alexander & Baldwin, Ltd., from San Francisco, Calif.

PRODUCT: 24 cases, each containing 24 8-ounce packages, of enriched macaroni at Honolulu, T. H.

LABEL, IN PART: "Royal Vitamin Enriched Macaroni Ingredients: Semolina, Vitamin B₁, Vitamin B₂, Niacin, Iron Pyrophosphate Net Weight 8 Ounces California Macaroni Co. San Francisco."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and iron, had been in part omitted from the product.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for enriched macaroni since it contained in each pound less than 4 milligrams of thiamine (vitamin B₁) and less than 13 milligrams of iron; and, Section 403 (a), the label statements "Comparative Food Values of Macaroni and Other Foods Calories Lean Steak . . . 950, Potatoes . . . 365, Parsnips . . . 295, Beets . . . 230, Carrots . . . 195, Onions . . . 190, String Beans, . . . 170, Turnips . . . 160, Cabbage . . . 115, Lettuce . . . 65, Macaroni . . . 1665" conveyed the misleading impression that macaroni had the highest food value of any of the foods mentioned. Further misbranding, Section 403 (a), the label statement "Four ounces when cooked supply the following of adult minimum daily requirements: Vitamin B₁ 50% * * * Iron 32.5%" was