

CEREALS AND CEREAL PRODUCTS**CORN MEAL**

16503. Adulteration of corn meal. U. S. v. The Early & Daniel Co. Plea of guilty. Fine, \$500. (F. D. C. No. 29422. Sample Nos. 47767-K, 52197-K, 52579-K, 52811-K, 52817-K.)

INFORMATION FILED: August 2, 1950, Southern District of Ohio, against The Early & Daniel Co., a corporation, Cincinnati, Ohio.

ALLEGED SHIPMENT: Between the approximate dates of August 30 and September 30, 1949, from the State of Ohio into the States of West Virginia, Kentucky, and Indiana.

LABEL, IN PART: "Tuxedo Bolted White Corn Meal Made By The Early & Daniel Co. Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, larvae, larval heads, larval head capsules, adult insect heads, insect fragments, rodent hair fragments, and rodent excreta fragments.

DISPOSITION: September 1, 1950. A plea of guilty having been entered, the court fined the corporation \$500.

16504. Adulteration and misbranding of enriched corn meal. U. S. v. 25 Bags, etc. (F. D. C. No. 29393. Sample No. 76452-K.)

LIBEL FILED: July 13, 1950, Eastern District of Arkansas.

ALLEGED SHIPMENT: On or about June 8, 1950, by the Scott County Milling Co., from Sikeston, Mo.

PRODUCT: Corn meal. 25 25-pound bags, 10 10-pound bags, and 10 5-pound bags at Little Rock, Ark.

LABEL, IN PART: (Bag) "Enriched * * * Bolted White Corn Meal."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine (vitamin B₁) and riboflavin, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (g) (1), the article purported to be, and was represented as, enriched corn meal, and it failed to conform to the definition and standard of identity for enriched corn meal since it contained less than 2.0 milligrams of thiamine (vitamin B₁) and less than 1.2 milligrams of riboflavin per pound.

DISPOSITION: August 28, 1950. Default decree of condemnation. The court ordered that the product be delivered to a State hospital, for use as animal feed.

FLOUR

16505. Action to enjoin and restrain the interstate shipment of flour and cereal products. U. S. v. Alleghany Milling Co., Inc., and John E. Watts and Joseph E. Moricle. Preliminary injunction granted; subsequently dissolved. (Injunction No. 211.)

COMPLAINT FILED: April 15, 1949, Western District of Virginia, against Alleghany Milling Co., Inc., Covington, Va., and John E. Watts, plant manager, and Joseph E. Moricle, head miller.

NATURE OF CHARGE: That the defendants had been, and were at the time, introducing and delivering for introduction into interstate commerce, at Covington, Va., flour and other cereal products which were adulterated in the following respects: Section 402 (a) (3), the products consisted in whole or in part of filthy substances, such as rodent excreta, rodent excreta pellet fragments, rodent hair fragments, adult insects, insect larvae, and insect fragments; and, Section 402 (a) (4), the products had been, and were still being, prepared and held under insanitary conditions whereby they may have become contaminated with filth. The complaint alleged further that the insanitary conditions in the defendants' plant consisted in, and resulted from, the presence of rodents, rodent excreta pellets and rodent excreta pellet fragments, rodent hairs, live insects and insect fragments, insect larvae, insect webbing, and nondescript dirt in and around machinery, equipment, and raw materials used for preparing and holding the food products, and also from inadequate equipment and general carelessness on the part of the defendants; that the defendants were aware that their activities violated the act; that the Alleghany Milling Co., Inc., had been convicted twice; that John E. Watts and Joseph E. Moricle had each been convicted once of violations of the act; that products shipped by the defendants' company had been seized and condemned; and that the defendants would continue to ship flour and cereal products in interstate commerce unless enjoined from so doing.

PRAYER OF COMPLAINT: That the defendants be perpetually enjoined from commission of the acts complained of, and that a preliminary injunction be granted during the pendency of the action.

DISPOSITION: May 3, 1949. The matter was heard before the court, and a preliminary injunction was entered enjoining the defendants from shipping in interstate commerce any flour or other cereal products which were adulterated. The preliminary injunction was extended at various times; and on July 13, 1950, upon motion of the defendants, the preliminary injunction was dissolved.

16506. Adulteration of corn flour. U. S. v. 8 Bags * * *. (F. D. C. No. 29230. Sample No. 55800-K.)

LIBEL FILED: On or about May 25, 1950, Western District of Missouri.

ALLEGED SHIPMENT: On or about January 5, 1950, from Milwaukee, Wis.

PRODUCT: 8 100-pound bags of corn flour at Kansas City, Mo., in possession of Midland Laboratories.

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

DISPOSITION: June 23, 1950. Default decree of destruction.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

16507. Adulteration of rice. U. S. v. 145 Bags * * *. (F. D. C. No. 29287. Sample No. 71524-K.)

LIBEL FILED: June 23, 1950, Southern District of California.

ALLEGED SHIPMENT: On or about December 15, 1949, from Houston, Tex.