

DISPOSITION: March 12, 1954. Default decree of condemnation and destruction.

21312. Adulteration of flour and doughnut mix. U. S. v. 32 Bags, etc. (F. D. C. No. 36020. Sample Nos. 59400-L to 59402-L, incl.)

LIBEL FILED: November 17, 1953, Eastern District of South Carolina.

ALLEGED SHIPMENT: On or about June 16 and July 24, 1953, from Springfield, Ill.

PRODUCT: 38 100-pound bags of flour and 14 100-pound bags of doughnut mix at Conway, S. C.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 2, 1954. The Carolina Wholesale Co., Conway, S. C., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond for denaturing and converting into animal feed, under the supervision of the Department of Health, Education, and Welfare.

21313. Adulteration and misbranding of enriched flour. U. S. v. Virgil H. Burchett (Pembroke Roller Mills). Plea of guilty. Fine of \$1,500, plus costs. (F. D. C. No. 35754. Sample No. 70617-L.)

INFORMATION FILED: December 15, 1953, Western District of Kentucky, against Virgil H. Burchett, trading as Pembroke Roller Mills, Pembroke, Ky.

ALLEGED SHIPMENT: On or about June 2, 1953, from the State of Kentucky into the State of Tennessee.

LABEL, IN PART: (Bag) "Enriched * * * Bleached Calcium Phosphate Added Pembroke Roller Mills Fancy Patent Flour."

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

Misbranding, Section 403 (a), the label statement "8 ounces of this Enriched Flour contain not less than the following proportions of the minimum daily requirements of Vitamin B₁ 100%, Riboflavin 30%, Iron 65% * * * and 8 mgs. of Niacin" was false and misleading since 8 ounces of the article contained less than such proportions of the minimum daily requirements of the body for vitamin B₁, riboflavin, and iron, and less than 8 milligrams of niacin.

Further misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for enriched flour since it contained, per pound, less than 2.0 milligrams of thiamine (vitamin B₁), less than 1.2 milligrams of riboflavin, less than 13.0 milligrams of iron, and less than 16.0 milligrams of niacin.

DISPOSITION: April 20, 1954. The defendant having entered a plea of guilty, the court imposed a fine of \$1,500, plus costs.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS*

21314. Adulteration of rice. U. S. v. 57 Bags * * *. (F. D. C. No. 35701. Sample No. 59397-L.)

LIBEL FILED: October 9, 1953, Southern District of Georgia.

*See also Nos. 21311, 21312.

ALLEGED SHIPMENT: On or about July 7, 1953, from Stuttgart, Ark.

PRODUCT: 57 100-pound bags of rice at Augusta, Ga., in possession of Harry M. Carpenter & Sons.

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 urine; and, Section 402 (a) (4), the article 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: March 16, 1954. Harry M. Carpenter & Sons, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and denaturing or destruction of the unfit portion, under the supervision of the Department of Health, Education, and Welfare. 45 bags of the product were found unfit and were denatured for use as hog feed.

21315. Adulteration of rice. U. S. v. 18 Bags * * *. (F. D. C. No. 36153. Sample No. 51164-L.)

LIBEL FILED: December 11, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 11, 1953, from Eunice, La.

PRODUCT: 18 100-pound bags of rice at Hempstead, L. I., N. Y.

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 11, 1954. Default decree of condemnation and destruction.

21316. Adulteration of rice. U. S. v. 7 Bags * * *. (F. D. C. No. 35996. Sample No. 64684-L.)

LIBEL FILED: December 1, 1953, Eastern District of Washington.

ALLEGED SHIPMENT: On or about February 28, 1953, from Sacramento, Calif.

PRODUCT: 7 100-pound bags of rice at Yakima, Wash.

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 insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: The Yakima Grocery Co. appeared as claimant and thereafter, without authorization, subjected the product to a cleaning process which removed the insect filth. On March 9, 1954, following the cleaning operations, judgment of condemnation was entered and the court ordered that the product be released to the claimant.

21317. Adulteration of brownie mix, blueberry muffin mix, and whole grain oats. U. S. v. 10 Cases, etc. (F. D. C. No. 36139. Sample Nos. 84612-L to 84614-L, incl.)

LIBEL FILED: December 10, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: From Chicago, Ill., and New York, N. Y., on an unknown date.