

CHARGE: 402(b)(1)—the valuable constituents, thiamine, riboflavin, iron, and niacin, had been in part omitted and abstracted from the article; 403(a)—the label statement "8 ounces of this product contain the following percentages of the adult minimum daily requirements: 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 the stated proportions of the minimum daily requirements of the body for vitamin B₁, riboflavin, and iron, and less than 8 milligrams of niacin; and 403(g)(1)—the article failed to conform to the definition and standard of identity for enriched cornmeal since it contained per pound less than 2.0 milligrams of thiamine (vitamin B₁), less than 1.2 milligrams of riboflavin, less than 13 milligrams of iron, and less than 16 milligrams of niacin.

PLEA: Nolo contendere.

DISPOSITION: 9-14-59. Corporation fined \$500; each individual fined \$200, which fine was suspended on condition that the individuals not violate the law for 6 months.

26102. Cornmeal and flour. (F.D.C. No. 43862. S. Nos. 75-841/2 P.)

QUANTITY: 187 25-lb. bags of cornmeal and 74 25-lb. bags of flour at Batesville, Ark., in possession of J. B. Kramer Candy Co.

SHIPPED: 6-10-59 and 8-29-59, from Salina, Kans., and St. Joseph, Mo.

LIBELED: 12-4-59, E. Dist. Ark.

CHARGE: 402(a)(3)—cornmeal contained rodent urine and rodent excreta pellets and flour contained insects; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 1-20-60. Default—delivered to a charitable institution for use as animal feed.

FLOUR*

26103. Flour. (F.D.C. No. 43369. S. No. 64-148 P.)

QUANTITY: 888 100-lb. bags at Boston, Mass.

SHIPPED: 7-6-59, from Alton, Ill.

LIBELED: 8-26-59, Dist. Mass.

CHARGE: 402(a)(3)—contained insects and insect parts while held for sale.

DISPOSITION: 9-3-59. Consent—claimed by Russell-Miller Milling Co., Minneapolis, Minn. Segregated; 601 100-lb. bags denatured and sold for animal feed.

26104. Flour, Donut mix, bread, and emulsifier. (F.D.C. No. 43204. S. Nos. 15-443/6 P, 15-451 P, 17-688 P.)

INFORMATION FILED: 7-8-59, S. Dist. Ohio, against Milillo Baking Co., Inc., Hamilton, Ohio, and Frank M. Milillo, president.

ALLEGED VIOLATION: Between 6-3-58 and 8-15-58, while quantities of flour, Donut mix, and emulsifier were being held for sale after shipment in interstate commerce, the defendants caused such articles to be held in a building that was accessible to rodents and insects and to be exposed to contamination by rodents and insects, which acts resulted in the articles being adulterated.

Between 7-29-58 and 3-11-59, the defendants caused to be shipped from Ohio to Kentucky loaves of bread which were adulterated.

*See also No. 26102.

LABEL IN PART: (Band encircling loaf of bread) "Ole Style White Enriched Bread Milillo Baking Co., Hamilton, Ohio Wt. 16 Ozs. Or Over" or "Tender Krust."

CHARGE: 402(a)(3)—the flour, Donut mix, and emulsifier contained insects, insect fragments, rodent excreta pellets, and rodent hairs, and the bread contained rodent hairs and insect fragments; 402(a)(4)—the flour, Donut mix, and emulsifier were held under insanitary conditions; and the bread was prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 7-17-59. Corporation—\$1,500 fine; individual—\$600 fine.

26105. Wheat flour with bran. (F.D.C. No. 43341. S. No. 57-045 P.)

QUANTITY: 12 100-lb. bags at Jacksonville, Fla., in possession of Southern Bakeries Co.

SHIPPED: 6-29-59, from Winona, Minn.

LIBELED: 8-10-59, S. Dist. Fla.

CHARGE: 402(a)(3)—contained insects; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 8-19-59. Consent—destruction.

26106. Flour, poppyseed, caraway seed. (F.D.C. No. 43371. S. Nos. 57-994/6 P.)

QUANTITY: 12 100-lb. bags of flour, 43 110-lb. bags of poppyseed, and 12 110-lb. bags of caraway seed, at Perth Amboy, N.J.

SHIPPED: Between 1957 and 5-20-59, from New York and Brooklyn, N.Y., and Kansas City, Mo.

LIBELED: 9-3-59, Dist. N.J.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 10-13-59. Default—destruction.

26107. Flour and cornmeal. (F.D.C. No. 43522. S. Nos. 70-272 P, 70-275 P, 70-277/81 P.)

QUANTITY: 67 10-lb. bags, 3,749 5-lb. bags, and 4,389 2-lb. bags of flour, and 49 5-lb. bags of cornmeal, at Chester, Pa., in possession of Chester Wholesale Grocery Co., Inc.

SHIPPED: Between 2-28-59 and 8-5-59, from Minneapolis, Minn., Chicago, Ill., Kansas City, Mo., and Washington, D.C.

LIBELED: 9-8-59, E. Dist. Pa.

CHARGE: 402(a)(3)—a portion of the articles contained insects; and 402(a)(4)—all of the articles were held under insanitary conditions.

DISPOSITION: 10-27-59. Consent—claimed by Chester Wholesale Grocery Co., Inc. Segregation proved to be unsuccessful and the article was destroyed.

26108. Donut flour. (F.D.C. No. 43787. S. No. 66-095 P.)

QUANTITY: 75 100-lb. bags at Syracuse, N.Y., in possession of Seaboard Allied Milling Corp.

SHIPPED: 5-8-59, from Chicago, Ill.

LIBELED: 11-2-59, N. Dist. N.Y.