

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 17, 1944. The Keco Flour and Feed Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as animal feed, under the supervision of the Federal Security Agency.

**6628. Adulteration of flour. U. S. v. 330 Sacks of Flour. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12109. Sample No. 72507-F.)**

**LIBEL FILED:** March 30, 1944, Western District of Tennessee.

**ALLEGED SHIPMENT:** On or about December 8, 1943, from Liberal, Kans.

**PRODUCT:** 330 sacks, each containing 100 pounds, of flour at McKenzie, Tenn., in possession of the Keco Milling Co.

The flour was stored under insanitary conditions after shipment. Rodent excreta and urine stains were found on the bags, and examination of samples showed that the flour contained rodent excreta.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in the whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

**DISPOSITION:** April 17, 1944. The Keco Flour & Feed Co., McKenzie, Tenn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as animal feed, under the supervision of an employee of the Federal Security Agency.

**6629. Adulteration of flour. U. S. v. 298 Bags and 45 Bags of Flour. Decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 13064. Sample Nos. 80533-F, 80534-F.)**

**LIBEL FILED:** July 27, 1944, Eastern District of Arkansas.

**ALLEGED SHIPMENT:** On or about February 24 and September 22, 1943, by the Fredericktown Milling Co., from Fredericktown, Mo.

**PRODUCT:** 298 25-pound bags and 45 12-pound bags of flour at Forrest City, Ark.

**LABEL, IN PART:** "Dixie Rose Extra High Patent Flour."

**VIOLATION CHARGED:** 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 insect fragments.

**DISPOSITION:** October 9, 1944. The Merchants Specialty Co., Forrest City, Ark., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured under the supervision of the Food and Drug Administration.

**6630 Adulteration of flour. U. S. v. 620 Bags of Flour. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 12103. Sample No. 59149-F.)**

**LIBEL FILED:** On or about March 28, 1944, District of Maryland.

**ALLEGED SHIPMENT:** On or about February 26, 1944, by the White Star Mills, from Staunton, Va.

**PRODUCT:** 620 bags, each containing 100 pounds, of flour at Baltimore, Md.

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments.

**DISPOSITION:** April 28, 1944. Legg & Co., Baltimore, Md., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be denatured for use as animal feed, under the supervision of the Food and Drug Administration.

**6631. Adulteration of cake flour. U. S. v. 83 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 13275. Sample No. 75919-F.)**

**LIBEL FILED:** August 18, 1944, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 1, 1944, by the Henkel Flour Mills, from Detroit, Mich.

PRODUCT: Flour: 83 100-pound bags, at Pittsburgh, Pa.

LABEL, IN PART: "Henkels Bakers Velvet Hi Ratio Cake Flour," or "Velvet."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils and larvae.

DISPOSITION: September 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6632. Misbranding of enriched flour. U. S. v. Dixie Portland Flour Co. (Higginsville Flour Mill). Plea of nolo contendere. Fine, \$50 and costs. (F. D. C. No. 9697. Sample No. 1099-F.)**

INFORMATION FILED: On August 16, 1943, in the Western District of Missouri, against the Dixie Portland Flour Co., a corporation trading as the Higginsville Flour Mill, Higginsville, Mo.

ALLEGED SHIPMENT: On or about October 18, 1942, from the State of Missouri into the State of Michigan.

LABEL, IN PART: "Kroger's Country Club Quality Brand Flour Distributed By The Kroger Grocery and Baking Company \* \* \* Enriched With Vitamins and Iron."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), valuable constituents, Vitamin B<sub>1</sub>, niacin (nicotinic acid), and iron has been in part omitted, in that the article was represented to contain, in each 10 ounces, 100 percent of the minimum daily requirement for vitamin B<sub>1</sub>, 37 percent of the minimum daily requirement for iron, and 3.75 milligrams of niacin, whereas 10 ounces of the article contained not more than 60 percent of the minimum daily requirement for vitamin B<sub>1</sub>, not more than 30.3 percent of the minimum daily requirement for iron, and not more than 2.81 milligrams of niacin.

Misbranding, Section 403 (g) (1), the article purported to be and was represented as enriched flour, a food for which a definition and standard of identity has been prescribed by the regulations, but it did not conform to the definition and standard since the regulations provide that each pound of enriched flour shall contain not less than 1.66 milligrams of vitamin B<sub>1</sub>, 6 milligrams of nicotinic acid (niacin), and 6 milligrams of iron, whereas each pound of the article contained not more than 1 milligram of vitamin B<sub>1</sub>, not more than 4.5 milligrams of nicotinic acid (niacin), and not more than 5 milligrams of iron; Section 403 (g) (2), the label of the article did not bear the name of the food specified in the definition and standard, enriched flour; Section 403 (f), the statements of the proportion of the minimum daily requirement for vitamin B<sub>1</sub> and iron which would be supplied by a specified quantity of the article during a period of 1 day, and of the quantity of niacin contained in a specified quantity, were not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render them likely to be read by the ordinary individual under customary conditions of purchase and use, since the statements were printed on the sacks in small, indistinct type; and, Section 403 (a), the statement, "10 Ounces of Enriched Flour contain not less than the following proportions of the minimum daily requirements of Vitamin B<sub>1</sub> 100%, Iron 37%, 3.75 mg. of Niacin (another B Vitamin)," was false and misleading.

DISPOSITION: April 7, 1944. A plea of nolo contendere having been entered, a fine of \$50 and costs was imposed.

**6633. Adulteration of plain flour and gluten flour. U. S. v. 19 Bags of Plain Flour (and 4 other seizure actions against plain flour and gluten flour). Decrees of condemnation. One lot ordered destroyed; remaining lots ordered released under bond. (F. D. C. Nos. 13416, 13430, 13519, 13685, 13829. Sample Nos. 54652-F, 75396-F, 76759-F, 78912-F, 78919-F.)**

LIBEL FILED: Between August 25 and October 2, 1944, Northern District of Illinois, Eastern District of Wisconsin, Western District of Pennsylvania, and District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of July 15, 1943, and July 6, 1944, by the Hubbard Milling Co., from Mankato, Minn.

PRODUCT: Plain flour: 658 100-pound bags at Chicago, Ill., 54 100-pound bags at Milwaukee, Wis., and 19 100-pound bags at Claysville, Pa. Gluten flour: 186 100-pound bags at Union City, N. J.

LABEL, IN PART: "Hubbard's Otsego Flour Bleached," "Enriched Flour \* \* \* Hubbard's Superlative Patent Flour Bleached," "Mother Hub-