

**PRODUCT:** 51 50-pounds bags and 26 25-pound bags of flour at El Paso, Tex., in possession of the American Grocery Co.

**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 rodent urine and rodent excreta; 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:** March 6, 1952. The American Grocery Co. having appeared as claimant, judgment of condemnation was entered and the court ordered that the goods be released under bond to be denatured and labeled as unfit for human consumption under the supervision of the Food and Drug Administration.

**19154. Adulteration and misbranding of enriched flour. U. S. v. 1,223 Bags \* \* \* (F. D. C. No. 32600. Sample No. 4653-L.)**

**LABEL FILED:** January 17, 1952, Southern District of West Virginia.

**ALLEGED SHIPMENT:** On or about December 12, 1951, by the Blair Milling Co., from Atchison, Kans.

**PRODUCT:** 1,223 25-pound bags of enriched flour at Charleston, W. Va.

**LABEL, IN PART:** "Enriched 8 Oz. of Enriched Flour Contain Not Less Than the Following Proportions of the Minimum Daily Requirements of Vitamin B<sub>1</sub> 100%, Riboflavin 30%, Iron 65%, and 8 Mg. of Niacin. Moon Rose Hard Wheat Flour."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin B<sub>1</sub>, riboflavin, iron, and niacin, had been in part omitted from the product.

Misbranding, Section 403 (a), the label statement "8 Oz. of Enriched Flour Contain Not Less Than the Following Proportions of the Minimum Daily Requirements of Vitamin B<sub>1</sub> 100%, Riboflavin 30%, Iron 65%, and 8 Mg. of Niacin" was false and misleading since the product contained less than the declared amounts of vitamin B<sub>1</sub>, riboflavin, iron, and niacin.

**DISPOSITION:** March 21, 1952. The Blair Milling Co., 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 to be brought into compliance with the law, under the supervision of the Federal Security Agency. The product was brought into compliance with the law by the addition of enriching ingredients.

#### MISCELLANEOUS CEREAL PRODUCTS

**19155. Adulteration of popped popcorn, alleged adulteration of potato chips and Fritos, and alleged misbranding of popped popcorn. U. S. v. So Good Potato Chip Co. and Edward C. Causino. Motion of defendants for return of seized goods and suppression of evidence overruled. Motion of defendants for dismissal of counts 1, 2, 3, 6, and 7 also overruled. Pleas of nolo contendere to counts 1 and 5. Motion of Government for dismissal of counts 2, 3, 4, 6, and 7 granted. Fine of \$750 against company and \$200 against individual. (F. D. C. No. 31078. Sample Nos. 78039-K, 78040-K, 93802-K, 93804-K, 31456-L, 31457-L.)**