

**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F.N.J. NOS. 26551-26600**

Adulteration. Section 402(a) (2), the article, in two cases, contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; and, in two cases, the article was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408(a); Section 402(a) (3), the article consisted in part of a filthy or decomposed substance, or it was otherwise unfit for food; Section 402(a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402(b) (1), a valuable constituent had been in whole or in part omitted or abstracted from the article; Section 402(b) (2), a substance had been substituted in whole or in part for the article; Section 406(a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice; and Section 408(a), a poisonous or deleterious pesticide chemical had been added to a raw agricultural commodity and no tolerance or exemption from the requirement of a tolerance had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding. Section 403(a), the labeling of the article was false and misleading; Section 403(e) (2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of contents in terms of weight, or numerical count; 403(f), a word, statement, or other information required by or under authority of the Act to appear on the label or labeling was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; Section 403(g) (1), the article purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulations, and it failed to conform to such definition and standard; Section 403(h) (1), the article purported to be and was represented as a food for which a standard of quality had been prescribed by regulations and it fell below such standard and its label failed to bear a statement that it fell below such standard; Section 403(j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information concerning its vitamin, mineral, and other dietary properties as the Secretary determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

CEREALS AND CEREAL PRODUCTS

FLOUR*

26551. Flour. (F.D.C. No. 41922. S. Nos. 903/4 P, 1-032/3 P.)

QUANTITY: 13 50-lb. bags, 33 50-lb. bags, 156 25-lb. bags, and 613 25-lb. bags at Griffin, Ga., in possession of Service Wholesale Co.

SHIPPED: Between 12-28-57 and 4-30-58, from Arkansas City, Kans.

LIBELED: 7-10-58, N. Dist. Ga.

CHARGE: 402(a) (3)—13- and 156-bag lots contained rodent urine; and 402 (a) (4)—all lots held under insanitary conditions.

DISPOSITION: 7-29-58. Consent—claimed by Service Wholesale Co. Segregated; 7,700 lbs. denatured for use as animal feed.

*See also No. 26560.