

1932, by the Frink Creamery Co., from Denver, Colo., to Flagstaff, Ariz., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Full Cream A Number 1 Cheese."

It was alleged in the libel that the article was adulterated in that a substance deficient in fat and containing excessive moisture had been substituted for the article.

Misbranding of the article was alleged for the reason that the statement, "Full Cream A Number One Cheese", was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article had been offered for sale under the distinctive name of another article.

On October 14, 1932, the Frink Creamery Co., Denver, Colo., having appeared as claimant for the property, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned that it be relabeled and that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act or the laws of the State of Arizona.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20514. Adulteration of cauliflower. U. S. v. 18 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29265. Sample no. 18428-A.)

This action involved the interstate shipment of a quantity of cauliflower that was found to bear arsenic and lead in amounts which might have rendered it injurious to health.

On or about October 21, 1932, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 18 crates of cauliflower, remaining in the original packages at Corpus Christi, Tex., alleging that the article had been shipped in interstate commerce on or about October 4, 1932, by Z. J. Fort Produce Co., from Denver, Colo., to Corpus Christi, Tex., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered the article injurious to health.

On December 2, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20515. Misbranding and alleged adulteration of strawberry cream sandwich and strawberry cream biscuits. U. S. v. Loose-Wiles Biscuit Co. Tried to jury. Adulteration charges dismissed. Verdict for the Government on misbranding charges. Fine, \$600. (F. & D. no. 27491. I. S. nos. 9717, 027784, 30299.)

This case was based on a shipment of bakers' products described as "Strawberry Cream Sandwich" and "Strawberry Cream Biscuits", which consisted of cakes containing an artificially colored and artificially flavored substance as a filler. The articles contained no true strawberry flavor.

On April 28, 1932, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Loose-Wiles Biscuit Co., a corporation, Long Island City, N.Y., alleging shipment by said company in violation of the Food and Drugs Act on or about January 20, 1930, March 23, 1931, April 25, 1931, and May 2, 1931, from the State of New York into the States of New Jersey, Maryland, and Pennsylvania, respectively, of quantities of strawberry cream sandwiches and strawberry cream biscuits that were misbranded. The articles were labeled in part: "Strawberry Cream Sandwich Delicious Shortcake Encasing Delightfully Flavored Velvety Strawberry Cream * * * Artificially Colored and Flavored"; and "Strawberry Cream (Artificially Colored and Flavored) English Style Biscuits * * * Loose-Wiles Biscuit Company Address New York N.Y."

The information alleged that the articles were adulterated in that a product artificially colored and flavored and which contained no strawberry had been substituted for strawberry cream sandwiches and biscuits. Adulteration was