

Lake Charles, La., alleging that the article had been shipped in interstate commerce, on or about June 2, 1933, by the American Maid Flour Mills from Houston, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "American Maid Flour American Maid Flour Mills, Houston, Texas, 24 Lbs. Net, Bleached Flour"; or "Majesty Flour American Maid Flour Mills, Houston, Texas, 6 lbs. net Bleached."

It was alleged in the libel that the article was misbranded in that the statements, "24 Lbs. Net" and "6 Lbs. Net", borne on the labels, were false and misleading and deceived and misled the purchaser, since the bags contained less than the declared weights. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On July 11, 1933, the American Maid Flour Mills having appeared as claimant for the property, a decree was entered permitting the claimant to take the product down under a bond in the sum of \$250, the conditions of which required that costs be paid and that the flour be repacked or relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

22206. Adulteration of canned shrimp. U. S. v. 100 Cases and 30 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30782. Sample no. 41607-A.)

This case involved a shipment of canned shrimp which was in part decomposed.

On July 29, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 130 cases of canned shrimp at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 10, 1933, by the Aughinbaugh Canning Co., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Nigger Bead Brand Shrimp Distributed by Aughinbaugh Canning Co., Baltimore, Md."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On March 31, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22207. Adulteration and misbranding of Old English Punch Maker. U. S. v. 664 Packages of Old English Punch Maker. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31022. Sample nos. 37097-A, 54822-A.)

This case involved a product labeled to convey the impression that when used as a beverage base it would give the distinctive flavor of strawberry or raspberry. Examination showed that the articles contained undeclared artificial color and that when used as directed did not possess the flavors of the said fruits. Examination also showed that the statement of the quantity of the contents was not clear and distinct.

On or about March 8, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 664 packages of Old English Punch Maker at Portland, Oreg., alleging that the article had been shipped in interstate commerce by the Western Sales Corporation from Seattle, Wash., in various shipments, on or about June 1, July 20, and August 10, 1933, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled: "Old English Punch Maker Raspberry [or "Strawberry"]."

It was alleged in the libel that the article was adulterated in that artificially colored mixtures of sugar and acid containing no fruit flavor, or a negligible amount of fruit flavor, had been substituted for a beverage base containing fruit flavors, and for the further reason that the article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements on the carton and in the circular, "Punchmaker Strawberry [or "Raspberry"] Flavor", were false and misleading and deceived and misled the purchaser. Misbranding