

district court a libel praying seizure and condemnation of 144 sacks of flour at Atlanta, Ga.; alleging that the article had been shipped in interstate commerce on or about January 18, 1937, by Washburn Crosby Co., from Kansas City, Mo.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: White Flyer Flour * * * Washburn Crosby General Mills, Inc. Minneapolis, Minnesota."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On July 29, 1938, Atlanta Milling Co., Inc., Atlanta, Ga., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be disposed of as animal feed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29247. Adulteration of apples. U. S. v. 42 Bushels of Apples. Default decree of destruction. (F. & D. No. 42486. Sample No. 18679-D.)

This product was contaminated with arsenic and lead.

On May 16, 1938, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 42 bushels of apples at Los Angeles, Calif.; alleging that the article had been shipped in interstate commerce on or about May 7, 1938, by J. M. Jorgensen from Boise, Idaho; and charging adulteration in violation of the Food and Drugs Act.

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

On July 30, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29248. Adulteration of pancake sirup. U. S. v. 97 Cases of Pancake Sirup. Default decree of condemnation and destruction. (F. & D. Nos. 42482, 42483. Sample Nos. 10628-D. 10629-D.)

This product was moldy and decomposed.

On May 28, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 97 cases of pancake sirup at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about January 20, 1937, from New York, N. Y., by Nectar Syrup Corporation; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Montco Pancake Syrup * * * Wm. Montgomery Co. Distributors, Philadelphia, Pa."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On July 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29249. Misbranding of cake flour. U. S. v. 37 Cases and 25 Cases of Cake Flour. Consent decrees of condemnation. Product released under bond for relabeling. (F. & D. Nos. 42999, 43000. Sample Nos. 24652-D, 24653-D.)

This product was bleached flour and its label failed to bear a conspicuous declaration of that fact, since the word "Bleached" was printed on the bottom of the package.

On June 30, 1938, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court two libels praying seizure and condemnation of 62 cases, each containing a number of packages of cake flour, at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about May 25 and June 8, 1938, from Alton, Ill., by Stanard Tilton Milling Co.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Package, main panel) "Stanard's Royal Patent Cake Flour * * * Stanard Tilton Milling Co. St. Louis—Alton—Dallas"; (package, bottom) "Stanard Royal Patent Cake Flour Bleached."

The article was alleged to be misbranded in that the prominent designation "Cake Flour" was false and misleading and tended to deceive and mislead the purchaser when applied to bleached flour; and in that it was labeled so as to deceive and mislead the purchaser, since the label failed to bear a clear state-

ment indicating that the flour was bleached and the inconspicuous declaration printed on the bottom of the package did not correct the misleading impression.

On July 7, 1938, Stanard Tilton Milling Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be relabeled.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29250. Adulteration of frozen turkeys. U. S. v. Armour & Co. Plea of nolo contendere. Fine, \$50. (F. & D. No. 40805. Sample No. 54898-C.)

This product was decomposed. In addition, a portion of it was rat-eaten and was contaminated with rat excreta.

On May 2, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Armour & Co., a corporation, trading at Fall River, Mass., alleging shipment by said defendant in violation of the Food and Drugs Act on or about November 18, 1937, from the State of Massachusetts into the State of Rhode Island, of a quantity of frozen turkeys that were adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 25, 1938, a plea of nolo contendere having been entered in behalf of the defendant, the court imposed a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*