

On September 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29523. Adulteration of candy. U. S. v. 12 Cartons, et al., of Candy (and three other seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43207, 43225, 43245, 43246, 43247, 43887. Sample Nos. 18645-D, 37819-D to 37823-D, inclusive.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.

On August 5, 6, and 9, and September 15, 1938, the United States attorneys for the Northern District of Alabama and the Eastern District of South Carolina, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 82 cartons of candy at Birmingham, Ala., and 29 boxes of candy at Charleston, S. C., alleging that the article had been shipped in interstate commerce in the period from on or about October 4, 1937, to on or about March 8, 1938, by Brach's Candy Specialties Co. from Chicago, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 8 and 12, and October 14, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29524. Adulteration of candy. U. S. v. 14 Cartons and 4½ Cartons of Candy (and three other seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43228, 43229, 43339, 43340, 43341, 43911, 43912. Sample Nos. 23836-D, 23837-D, 37832-D, 37833-D, 37941-D, 37942-D, 37950-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.

On August 6 and 17 and September 26, 1938, the United States attorneys for the Northern District of Alabama and the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 53½ cartons of candy at Birmingham, Ala., and 19 cartons of candy at Dallas, Tex.; alleging that the article had been shipped in interstate commerce on various dates between August 5, 1937, and March 11, 1938, by the Walter H. Johnson Candy Co. and Schutter Candy Co. from Chicago, Ill., and Keppel & Ruof, Inc., from Lancaster, Pa.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On September 12, 21, and 30, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29525. Adulteration of candy. U. S. v. 12 Cartons of Candy (and one other seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 43257, 43948, 43949, 43950. Sample Nos. 37929-D, 49641-D to 49643-D, inclusive.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested.

On August 9 and September 26, 1938, the United States attorneys for the Northern District of Alabama and the Northern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 12 cartons of candy at Birmingham, Ala., and 72 cartons of candy at Dallas, Tex.; alleging that the article had been shipped in interstate commerce in various shipments on or about March 22, June 23, and September 7, 1938 (apparently last-named date should be July 7, 1938), by Williamson Candy Co. from Chicago, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a filthy vegetable substance.

On September 12 and October 3, 1938, no appearance having been made in the case instituted in the Northern District of Alabama, and the Williamson Candy Co. having appeared and admitted the allegations of the libel filed in the case instituted in the Northern District of Texas, and having consented to the entry of a decree therein, judgments of condemnation were entered and the product was ordered destroyed.

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

29526. Adulteration of flour and corn meal. U. S. v. 114 Sacks and 43 Sacks of Flour (and two other seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43312, 43313, 43323, 43324. Sample Nos. 27616-D, 27617-D, 27620-D, 38401-D.)

These products having been shipped in interstate commerce and remaining unsold and in the original packages, were at the time of examination found to be insect-infested.

On August 16, 1938, the United States attorney for the Eastern District of Arkansas, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 317 sacks of flour and 196 sacks of corn meal at North Little Rock, Ark.; alleging that the articles had been shipped on various dates on or about March 26, April 15, and July 15, 1938, by the Quaker Oats Co. from St. Joseph, Mo.; and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part, variously: "Mother's Flour Bleached"; "Aunt Jemima Soft Wheat Flour"; "Sea Breeze Cream Corn Meal"; "Lark Flour Bleached."

The articles were alleged to be adulterated in that they consisted wholly or in part of filthy vegetable substances.

On September 27, 1938, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

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

29527. Adulteration of maple sirup. U. S. v. 80 Drums of Maple Sirup (and two similar seizure actions). Consent decrees of condemnation. Product released under bond to be deleaded. (F. & D. Nos. 42344, 42366, 42384. Sample Nos. 8125-D, 14196-D, 14258-D.)

Samples of this product were found to contain lead.

On May 9, 12, and 13, 1938, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 171 drums of maple sirup at Brooklyn, N. Y.; alleging that the article had been shipped in interstate commerce on or about April 25, 27, and 30, 1938, by H. E. Franklin in various shipments from Lyndonville, Barton, and Cambridge Junction, Vt.; and charging adulteration in violation of the Food and Drugs Act.

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

On July 19, 1938, Fred Fear & Co., Inc., Brooklyn, N. Y., claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond, conditioned that those drums containing sirup free from contamination be segregated from those containing sirup contaminated with lead and that the latter be reconditioned in order to remove the lead content.

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

29528. Adulteration of apple butter. U. S. v. 84 Pails, 5 Pails, and 124 Pails of Apple Butter. Default decree of condemnation and destruction. (F. & D. Nos. 43608 to 43610, inclusive. Sample Nos. 12879-D, 26701-D, 26703-D.)

This product contained insect fragments and rodent hairs. In addition, one lot (five pails) contained excessive lead.

On September 1, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 213 pails of apple butter in various lots at Orangeburg, Middletown, and Wingdale, N. Y., respectively; alleging that the article had been shipped in interstate commerce in the period from on or about July 6, 1938, to on or about July 23, 1938, by the Adams Apple Products Corporation from Aspers, Pa.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Adams Apple Brand * * * Apple Butter."