

On September 1, 1938, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 116 sacks of flour at Little Rock, Ark.; alleging that the article had been shipped in interstate commerce on or about March 5, 1938, by Waggoner-Gates Milling Co. from Independence, Mo.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Waggoner-Gates Milling Co. * * * Roller Process Fancy Patent Queen of the Pantry."

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

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

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

29569. Adulteration and misbranding of whitefish caviar. U. S. v. 66 Jars, et al., of Whitefish Caviar. Default decree of condemnation and destruction. (F. & D. No. 42899. Sample Nos. 25434-D, 25435-D.)

This product contained parasitic worms, fish scales, bones, shell-type organisms, and pieces of shell. It also was short of the declared weight.

On June 7, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 117 various sized jars of whitefish caviar at New Haven, Conn.; alleging that the article had been shipped in interstate commerce in various shipments on or about June 1 and December 4, 1936, and January 5, 1938, by R. C. Williams & Co., Inc., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "O-So-Fine White Fish Caviar * * * Packed for R. S. Williams & Co., Inc. New York."

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

The article was alleged to be misbranded in that the statements, "1 Oz.," "2 Oz.," "4 Oz.," and "16 Oz. Net," were false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short weight; and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages since the statement made was incorrect.

On October 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29570. Adulteration of whitefish caviar. U. S. v. 58 Jars and 42 Jars of Whitefish Caviar. Default decree of condemnation and destruction. (F. & D. No. 42928. Sample Nos. 25450-D, 25451-D.)

This product contained parasitic worms, fish bones, and shell-encrusted organisms.

On or about June 16, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 jars of whitefish caviar at Bridgeport, Conn.; alleging that the article had been shipped in interstate commerce in part on or about October 22, 1937, and in part on or about May 9, 1938, by Vita Food Products, Inc., from New York, N. Y.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Fish Caviar Vita Brand * * * Packed by Vita Fish Preserving Works—New York."

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

On October 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29571. Adulteration of flour. U. S. v. 60 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. No. 43765. Sample Nos. 38449-D, 38465-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 September 8, 1938, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 sacks of flour at Little Rock, Ark.; alleging that the article had been shipped in interstate commerce on or about May 20, 1938, by Stanard-Tilton Milling Co. from Alton, Ill.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Stanard's Red One High Patent Flour."

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

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

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

29572. Adulteration of candy. U. S. v. 8 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43664. Sample No. 38127-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 September 2, 1938, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cartons of candy at Mobile, Ala.; alleging that the article had been shipped on or about January 27, 1938, by D. Goldenberg, Inc., from Philadelphia, Pa.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On October 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29573. Misbranding of canned sardines. U. S. v. 19 Cases of Sardines. Default decree of condemnation and destruction. (F. & D. No. 42957. Sample No. 27310-D.)

This product was short weight.

On July 22, 1938, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 cases of sardines at Billings, Mont.; alleging that the article had been shipped in interstate commerce on or about January 8, 1937, by California Packing Sales Co. Fruitvale, Calif. (for Hovden Food Products Co., Monterey, Calif.); and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "North Star Filets of Sardines * * * Distributed by North Star Company Seattle."

It was alleged to be misbranded in that the statement "Net Contents 9 Oz. or 255 Grams," was false and misleading and tended to deceive and mislead the purchaser since it was short in weight; and in that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in that the quantity stated was not correct.

On September 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29574. Adulteration of flour. U. S. v. 11 Sacks, 8 Sacks, and 19 Sacks of Flour. Default decrees of condemnation and destruction. (F. & D. Nos. 43467, 43468, 43854. Sample Nos. 38422-D, 38423-D, 38471-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 25 and September 12, 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 19 sacks of flour at North Little Rock, Ark., and 19 sacks of flour at Little Rock, Ark.; alleging that the article had been shipped by Arkansas City Flour Mills Co. from Arkansas City, Kans., the former on or about November 8, 1937, and the latter on or about July 19, 1938; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part variously: "Bleached