

29834. Adulteration of flour. U. S. v. 20 Bags and 176 Bags of Flour. Default decrees of condemnation and destruction. (F. & D. Nos. 43716, 43744. Sample Nos. 38371-D, 49622-D.)

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

On September 8 and 14, 1938, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 20 bags of flour at Lockport, La., and 176 bags of flour at Plaquemine, La.; alleging that the article had been shipped in part on or about July 16, 1938, and in part on or about July 20, 1938, by G. B. R. Smith Milling Co. from Sherman, Tex.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Eagle Bleached Hard Wheat Flour" or "Sunlight Flour."

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

On November 5 and 9, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29835. Adulteration and misbranding of cheese. U. S. v. 38 Boxes of Cheese. Default decree of condemnation and destruction. [F. & D. No. 44286. Sample No. 38391-D.]

This case involved cheese that was deficient in fat and that contained excessive moisture.

On November 5, 1938, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 38 boxes of cheese at New Orleans, La.; alleging that the article had been shipped in interstate commerce on or about October 4, 1938, by Devine Creamery Co. from Devine, Texas; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a substance deficient in fat and containing excess moisture had been mixed and packed therewith so as to reduce or lower its quality and had been substituted wholly or in part for full cream or whole milk cheese, which it purported to be.

The article was alleged to be misbranded in that the statement "full cream," borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to an article deficient in fat and containing excess moisture.

On November 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29836. Adulteration of apples. U. S. v. 13 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 44142. Sample No. 32121-D.)

This product was contaminated with arsenic and lead.

On September 27, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about September 21, 1938, by George Kringas from Benton Harbor, Mich., to himself at Chicago; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grown by F. W. Rodewald Watervliet, Mich."

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

On November 14, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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