

30181. Adulteration of flour. U. S. v. 120 Sacks, 180 Sacks, 39 Sacks, and 10 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. No. 44162. Sample No. 30673-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 October 13, 1938, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 349 sacks of flour at El Paso, Tex.; alleging that the article had been shipped on or about July 12, 1938, by Arkansas City Flour Mills Co. from Arkansas City, Kans.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Bleached Old Gold Full Flavored Flour."

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

On December 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30182. Adulteration and misbranding of whisky. U. S. v. 45 Cases, 15 Cases, and 15 Cases of Seaboard Whiskey. Default decree of condemnation and destruction. (F. & D. No. 37196. Sample No. 51616-B.)

This product was imitation whisky.

On February 12, 1936, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 75 cases of whisky at Washington, D. C.; alleging that the article had been shipped on or about January 23, 1936, by National Wholesale Liquor Co., Inc., from Baltimore, Md.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Seaboard Whiskey."

It was alleged to be adulterated in that an imitation whisky had been substituted for it.

It was alleged to be misbranded in that the name "Whiskey" was false and misleading and tended to deceive and mislead the purchaser when applied to an imitation whisky; and in that it was an imitation of and was offered for sale under the distinctive name of another article, whisky.

On February 9, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30183. Misbranding of cottonseed meal. U. S. v. Chickasha Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 42526. Sample No. 4147-D.)

This product contained a smaller proportion of protein than that declared on the tag.

On July 12, 1938, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chickasha Cotton Oil Co., a corporation trading at Altus, Okla., alleging shipment by said defendant in violation of the Food and Drugs Act on or about January 21, 1938, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed meal that was misbranded. The article was labeled in part: "Chickasha Quality."

It was alleged to be misbranded in that the statement "Protein not less than 43.00 Per Cent," borne on the tag, was false and misleading and tended to deceive and mislead the purchaser, since it contained not more than 39.38 percent of protein.

On August 10, 1938, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

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

30184. Misbranding of cottonseed screenings. U. S. v. Transit Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 40823. Sample No. 662-C.)

This product contained a smaller proportion of protein than that declared on the tag.

On April 29, 1938, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court

an information against the Transit Milling Co., a corporation, Sherman, Tex., alleging shipment by said defendant in violation of the Food and Drugs Act or on about October 30, 1937, from the State of Texas into the State of Kansas of a quantity of cottonseed screenings which were misbranded. The article was labeled in part: "Tranco Brand."

It was alleged to be misbranded in that the statement "Protein not less than 43%," borne on the tag, was false and misleading since it contained not more than 40.75 percent of protein.

On November 28, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

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

30185. Adulteration of whisky. U. S. v. 7½ Cases and 41 Pint Bottles of Whisky and 1 other seizure against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44538, 44556. Sample Nos. 34351-D, 34352-D, 34362-D, 34363-D.)

This product contained excessive quantities of an aldehyde.

On December 16 and December 20, 1938, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 7½ cases, each containing 12 quart bottles, 78 pint bottles, and 31 quart bottles of whisky at Washington, D. C.; alleging that the article had been shipped in interstate commerce by Philip Blum & Co., Inc., from Chicago, Ill., within the period from on or about October 8, 1938, to on or about October 24, 1938; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Old Curtis Brand * * * Straight Bourbon Whisky Bottled by Wakem & McLaughlin, Inc., Chicago, Ill. * * * Distilled by Tom Moore Distillery Co. Bardstown, Kentucky."

Adulteration was alleged in that a substance containing excessive quantities of an aldehyde had been mixed and packed with the article so as to reduce or lower its quality or strength and had been substituted wholly or in part for whisky, which the article purported to be.

On February 14, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30186. Adulteration of candy. U. S. v. Schuler Candy Co. Plea of nolo contendere. Fine, \$35. (F. & D. No. 39846. Sample Nos. 12793-C, 19819-C.)

This product contained glass in an amount which might have rendered it injurious to health.

On January 25, 1938, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Schuler Candy Co., a corporation, Winona, Minn., alleging shipment by said defendant in violation of the Food and Drugs Act, in part on or about March 10, 1937, and in part on or about March 11, 1937, from the State of Minnesota into the States of Wisconsin and Ohio of quantities of candy that was adulterated.

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

On December 19, 1938, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$35.

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

30187. Adulteration and misbranding of ground ear corn. U. S. v. J. T. Gibbons, Inc. Plea of nolo contendere. Fine, \$100. (F. & D. No. 42531. Sample No. 10161-D.)

This product was represented to be ground ear corn, but consisted in part of other substances, namely, rice byproducts, sugarcane, bagasse, and ground calcium carbonate.

On July 20, 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 an information against J. T. Gibbons, Inc., New Orleans, La., alleging shipment by said corporation in violation of the Food and Drugs Act, in part on or about February 5, and in part on or about February 12, 1938, from the State of Louisiana into the State of Florida, of quantities of ground ear corn which was adulterated and misbranded. The article was labeled in part: "Sunrise Ground Ear Corn."