

fied Vitamin C Content—We hereby certify that the juice in this container has been tested by us and contained the same Vitamin C content when packed as the freshly extracted juice," since they created the impression that the article contained an amount of vitamin C comparable to the amount contained in a like quantity of freshly extracted orange juice; whereas it contained substantially less (about one-half) vitamin C than a like quantity of freshly extracted orange juice and even substantially less than the normal vitamin C content of canned orange juice.

On October 27, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2302. Misbranding of tomato juice. U. S. v. 19 Cases of Tomato Juice. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 4965. Sample No. 32800-E.)

Examination showed that this product was short of the declared volume.

On June 19, 1941, the United States attorney for the Southern District of Mississippi filed a libel against 19 cases, each containing 48 cans, of tomato juice at Brookhaven, Miss., alleging that the article had been shipped on or about April 8, 1941, by Val Vita Food Products, Inc., from Fullerton, Calif.; and charging that it was misbranded. It was labeled in part: "Val Vita Brand Fancy Tomato Juice."

The article was alleged to be misbranded in that the statement "Net Contents 7¼ Flid. Ozs.," borne on the label, was false and misleading since it was incorrect; and in that it was in package form and did not bear a label containing an accurate statement of the quantity of contents.

On November 4, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered divided between two local charitable agencies for their own use but not for sale.

CEREAL PRODUCTS

FLOUR

2303. Adulteration of flour. U. S. v. 137 and 175 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5609. Sample Nos. 67405-E, 67406-E.)

This product had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be stored under insanitary conditions and to be insect-infested. Some of the bags had been cut into by rodents and were stained with rodent urine and there were rodent pellets on and between the bags.

On September 2, 1941, the United States attorney for the Eastern District of Arkansas filed a libel against 137 48-pound bags and 175 24-pound bags of flour at Little Rock, Ark., alleging that the article had been shipped in interstate commerce on or about June 27, 1941, by the McDaniel Milling Co. from Carthage, Mo.; and charging that it was adulterated. It was labeled in part: (Bags) "Little King Flour Bleached."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance and was otherwise unfit for food; and in that it had been held under insanitary conditions whereby it might have become contaminated with filth.

On October 2, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2304. Adulteration of flour. U. S. v. 120 Bags and 320 Bags of Flour. Consent decree of condemnation. Product ordered released under bond to be manufactured into animal feed. (F. D. C. No. 5309. Sample Nos. 59364-E, 59365-E.)

Examination of this product showed that it was insect-infested, and that it had been stored under insanitary conditions subsequent to shipment.

On August 5, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 120 12-pound bags and 320 24-pound bags of flour at Huntington, W. Va., alleging that the article had been shipped in interstate commerce on or about February 7, 1941, by the Pillsbury Flour Mills Co. from Springfield, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Pillsbury's Best Flour."

On October 9, 1941, the Grocers Wholesale Co., Louisville, Ky., while not appearing in the proceedings and not denying the adulteration charged but having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be delivered to the Grocers Wholesale Co., as requested by that firm, upon payment of costs and the execution of a bond conditioned that it be manufactured into animal feed.

2305. Adulteration of flour. U. S. v. 40 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5777. Sample No. 67462-E.)

This product had been stored under insanitary conditions. When examined it was insect-infested and some of the bags had been cut into by rodents and were contaminated with rodent excreta.

On September 19, 1941, the United States attorney for the Western District of Tennessee filed a libel against 40 bags of flour at Dyersburg, Tenn., alleging that the article had been shipped in interstate commerce on or about July 17 and 29, 1941, by the Whitewater Flour Mills Co. from Whitewater, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. It was labeled in part: "48 Lbs. * * * Whitewater Rose Flour Bleached."

On October 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 2306 to 2312 report the seizure and disposition of flour that had been shipped in interstate commerce and was in interstate commerce at the time of examination, at which time it was found to be insect-infested. In most instances the time of infestation was not determined.

2306. Adulteration of self-rising flour. U. S. v. 327 Bags of Flour. Consent decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 5349. Sample Nos. 977-E to 980-E, incl., 48501-E, 48502-E.)

On or about August 22, 1941, the United States attorney for the Eastern District of South Carolina filed a libel against 116 12-pound bags, 141 48-pound bags, and 70 96-pound bags of flour at Camden, S. C., alleging that the article had been shipped in interstate commerce within the period from on or about February 13 to on or about June 14, 1941, by the Austin-Heaton Co. from Durham, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled variously: (Bags) "Blue Bonnet [or "Buttercup" or "Cream of the West"] Quality Flour Self-Rising."

On September 23, 1941, Thomas & Howard Co., Columbia, S. C., 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 denatured under the supervision of the Food and Drug Administration and disposed of for industrial purposes or animal feed.

2307. Adulteration of flour. U. S. v. 179 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5043. Sample No. 48147-E.)

On or about July 3, 1941, the United States attorney for the Northern District of Florida filed libels against 50 20-pound bags, 50 10-pound bags, and 79 5-pound bags of flour at Gainesville, Fla., alleging that the article had been shipped in interstate commerce on or about March 20, 1941, by the H. C. Cole Milling Co. from Chester, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Bags) "White Ring Flour."

On September 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2308. Adulteration of flour. U. S. v. 106 Bags of Flour. Default decree of condemnation and destruction. (F. D. C. No. 5656. Sample No. 67449-E.)

On or about September 16, 1941, the United States attorney for the Western District of Arkansas filed a libel against 106 bags of flour at Prescott, Ark., alleging that the article had been shipped in interstate commerce on or about May 21, 1941, by the Fant Milling Co. from Sherman, Tex.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Missouri Special Flour Bleached 24 Lbs. Net."

On November 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.