

tins at Philadelphia, Pa., and 234 boxes at Bridgeport, Conn., alleging that the article had been shipped in interstate commerce within the period from on or about October 6 to on or about November 19, 1942, by Fashion Bakers from Brooklyn, N. Y.; and charging that it was misbranded. The article was labeled in part: "Charlevoix Assortment \* \* \* 2 Lbs. Nt Wt.," or "Fashion Bakers French Assorted Cookies \* \* \* 12 Oz. Net [or, "2½ Lbs. Nt. Wt.]."

The article was alleged to be misbranded (1) in that the statements "12 Oz. Net," "2½ Lbs. Nt Wt.," and "2 Lbs. Nt Wt." were false and misleading as applied to an article that was short weight; and (2) in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents. Two of the lots were alleged to be misbranded further in that their containers were so filled as to be misleading since they could have, and to be full weight should have, contained more cookies.

Between December 18, 1942, and March 19, 1943, no claimant having appeared, judgments of condemnation were entered. The portion of the product located at Atlanta, Ga., was ordered sold to the highest bidder, and the lots located at Philadelphia, Pa., and Bridgeport, Conn., were ordered delivered to charitable institutions.

#### MISCELLANEOUS CEREAL PRODUCTS

**4309. Adulteration of barley. U. S. v. 60 Sacks of Barley. Default decree of condemnation. Product ordered sold. (F. D. C. No. 8907. Sample No. 5642-F.)**

This product contained beetles, larvae, cast skins, and insect fragments.

On November 21, 1942, the United States attorney for the Eastern District of Missouri filed a libel against 60 100-pound sacks of barley at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about October 3, 1941, by the Quaker Oats Co. from Cedar Rapids, Iowa; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Tag) "Spec. Chester Barley."

On December 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold to the highest bidder on condition that it should not be disposed of in violation of law. It was ground into animal feed.

**4310. Adulteration of gelatinized corn and rice flour. U. S. v. 9 Bags of Dusting Gelatinous No. 146 Compound and 8 Bags of No. 146 Griffith's Gelatinized Compound. Default decree of condemnation and destruction. (F. D. C. No. 8702. Sample Nos. 4675-F, 4676-F.)**

Samples of this product were found to contain insect fragments, larvae, and beetles.

On November 4, 1942, the United States attorney for the Northern District of Ohio filed a libel against 17 bags of the above-described product, at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about September 24 and October 9, 1942, by Griffith Laboratories, Inc., from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled, in part: "Gelatinous Processed From Select [or "Selected"] Maize and Rice."

On December 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4311. Adulteration of rice flour. U. S. v. 20 Bags of Rice Flour. Default decree of condemnation and destruction. (F. D. C. No. 8315. Sample No. 18006-F.)**

This product contained beetles, larvae, and larva casts.

On September 4, 1942, the United States attorney for the District of New Jersey filed a libel against 20 100-pound bags of rice flour at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about June 30 and August 21, 1942, by Stein, Hall & Co., Inc., from New York, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Hallmark Rice Flour."

On November 23, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**4312. Adulteration of rye flour, rye-wheat flour, and rye meal. U. S. v. 118 Bags of Flour and Meal. Consent decree of condemnation. Products ordered released under bond for reconditioning. (F. D. C. No. 8558. Sample Nos. 21535-F to 21539-F, incl.)**

The rye meal contained weevils, and the flour contained weevils and larvae.

On October 9, 1942, the United States attorney for the Western District of Pennsylvania filed a libel against 118 bags of flour and meal at Pittsburgh, Pa.,