On September 3 and 8, 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 183 bags of flour at Hammond, La., and 20 bags of flour at Donaldsonville, La.; alleging that the article had been shipped within the period from on or about June 22, 1938, to on or about August 13, 1938, by Wolf Milling Co. from Ellinwood, Kans.; and charging adulteration in violation of the Food and Drugs Act. A portion was labeled: "Bleached Snow Belle Ellinwood Milling Co. Ellinwood Kans." The remainder was labeled: "Wolf's Premium Bleached Flour."

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

On November 8, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29999. Adulteration of Brazil nuts. U. S. v. 56 Bags of Brazil Nuts. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. & D. No. 44468. Sample No. 26174–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 in part moldy and decomposed.

On December 6, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 56 bags of Brazil nuts at New York, N. Y.; alleging that the article had been shipped on or about November 23, 1938, by W. A. Camp Co. from Hoboken, N. J.; and charging adulteration in violation of the Food and Drugs Act.

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

On December 20, 1938, the W. A. Camp Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed.

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

30000. Misbranding of canned tomatoes. U. S. v. 480 Cases and 500 Cases of Tomatoes. Consent decrees of condemnation. Product released under bond to be relabeled. (F. & D. Nos. 44311, 44312. Sample Nos. 19649–D, 19650–D.)

This product was substandard because the fruit was not normally colored, and it was not labeled to indicate that it was substandard.

On November 9, 1938, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 980 cases of canned tomatoes at Minneapolis, Minn.; alleging that the article had been shipped in part on or about September 30 and in part on or about October 15, 1938, by C. K. Heidbreder (temporary trustee, Ozark Mountain Canning Co.) from Springfield, Mo.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Manor House Tomatoes * * * Packed by Ozark Mountain Canning Co."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since the fruit was not normally colored, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On December 20, 1938, K. Aslesen Co., Minneapolis, Minn., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be relabeled to comply with the law.

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