

Kansas Diamond Flour"; "Kutter Flour Phosphated"; "Bleached Pastell Kansas Diamond Flour."

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

On September 24 and October 7, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29575. Adulteration of spaghetti. U. S. v. 36 Cartons of Spaghetti. Default decree of condemnation and destruction. (F. & D. No. 43380. Sample No. 38407-D.)

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

On August 18, 1938, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 cartons of spaghetti at Little Rock, Ark.; alleging that the article had been shipped in interstate commerce on or about May 19, 1938, by Domino Macaroni Co. from Springfield, Mo.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Great Scott Brand Long Spaghetti."

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

On September 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

29576. Adulteration of cheese. U. S. v. Carl Hopperdietzel (Hopperdietzel Cheese Factory). Plea of guilty. Fine, \$25. (F. & D. No. 42584. Sample No. 2796-D.)

This product was deficient in fat and contained excess moisture.

On September 21, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Carl Hopperdietzel, trading as the Hopperdietzel Cheese Factory, Merino, Colo., alleging that on or about January 6, 1938, the defendant sold and delivered to Swift & Co., a corporation, Denver, Colo., a quantity of cheese under a guaranty that the product was not adulterated or misbranded within the meaning of the Federal Food and Drugs Act; that on or about March 22, 1938, Swift & Co. shipped a quantity of the product in the identical condition as when so sold and delivered and guaranteed, from the State of Colorado into the State of Wyoming; that the said article was adulterated within the meaning of the Food and Drugs Act, and that by reason of the guaranty the defendant was amenable to prosecution for such shipment. The article was labeled in part: "Full No. 1 Cream."

Adulteration was alleged in that a substance deficient in fat and containing excess moisture, to wit, a substance containing less fat and more moisture than is contained in full cream cheese, had been substituted for full cream cheese, which it purported to be.

On October 6, 1938, the defendant entered a plea of guilty and the court imposed a fine of \$25.

M. L. WILSON, *Acting Secretary of Agriculture.*

29577. Adulteration and misbranding of horseradish. U. S. v. 162 Jars of Horseradish. Default decree of condemnation and destruction. (F. & D. No. 42929. Sample No. 25449-D.)

This product consisted in whole or in part of ground turnips, cornstarch, and mustard oil.

On or about June 16, 1938, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 162 jars of horseradish at Bridgeport, Conn.; alleging that the article had been shipped in interstate commerce on or about April 16, 1938, by H. M. Fields, Inc., from Brooklyn, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fields' Best Horseradish."

Adulteration was alleged in that a substance consisting of ground turnips, cornstarch, and mustard oil had been substituted in whole or in part for horseradish.