

**29224. Adulteration of flour. U. S. v. 3,500 Sacks of Flour. Consent decree of condemnation. Product released under bond to be disposed of for purposes other than as human food. (F. & D. No. 40897. Sample No. 44284-C.)**

This product was weevil-infested.

On November 27, 1937, the United States attorney for the Northern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 3,500 sacks of flour at Panama City, Fla.; alleging that the article had been shipped in interstate commerce on or about June 30, 1937, by Western Milling Co. from Pendleton, Oreg.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Western Milling Co., Pendleton, Oregon."

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

On March 14, 1938, Indiana Flour Co., Inc., Dothan, Ala., claimant, having admitted that the product was adulterated and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it should not be used for human food, but that it might be used as animal feed.

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

**29225. Adulteration and misbranding of butter. U. S. v. 5 Boxes of Butter. Default decree of condemnation and destruction. (F. & D. No. 41914. Sample No. 1869-D.)**

This product contained less than 80 percent by weight of milk fat.

On February 23, 1938, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five boxes, containing approximately 60 pounds of butter, at Cleveland, Ohio; alleging that the article had been shipped in interstate commerce on or about February 11, 1938, by the Lakota Farmers Cooperative Creamery Co. from Centerville, S. Dak.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by act of March 4, 1923, which the article purported to be.

It was alleged to be misbranded in that it was sold as and purported to be butter, whereas it should contain not less than 80 percent by weight of milk fat.

On June 23, 1938, no claimant appearing, judgment of condemnation was entered and the product was ordered destroyed.

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

**29226. Adulteration of butter. U. S. v. 4 Boxes of Butter. Default decree of condemnation. Product delivered to a charitable institution. (F. & D. No. 43143. Sample No. 26128-D.)**

This product contained less than 80 percent of milk fat.

On July 13, 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 four boxes of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 18, 1938, by Lakota Creamery from Lakota, N. Dak.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by act of March 4, 1923.

On August 4, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

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

**29227. Adulteration of candy. U. S. v. 49 Cartons of Chocolate Bars. Default decree of condemnation and destruction. (F. & D. No. 42961. Sample Nos. 9183-D, 16245-D.)**

This product was weevil-infested.

On or about June 23, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate