

**952. Misbranding of tea. U. S. v. 150 Cartons, each containing 24 packages, of Tea. Consent decree of condemnation. Product ordered released under bond for repacking.** (F. D. C. No. 2528. Sample No. 159-E.)

These packages each contained a waxed paper bag of tea which occupied on an average only 65 percent of the space in the package.

On August 12, 1940, the United States attorney for the Northern District of Georgia filed a libel against 150 cartons of tea at Griffin, Ga., alleging that the article had been shipped in interstate commerce on or about July 17, 1940, by Carter, Macy Co., Inc., from New York, N. Y.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: (Package) "Mayflower Brand Tea \* \* \* Distributed by H. V. Kell Company Wholesale Grocers Griffin, Ga."

On September 7, 1940, the H. V. Kell Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law. It was repacked as bulk tea and the containers were destroyed.

**953. Adulteration of orange juice. U. S. v. 300 Cases of Canned Orange Juice. Default decree of condemnation and destruction.** (F. D. C. No. 2768. Sample No. 33636-E.)

This product contained a relatively large amount of dirt particles.

On September 9, 1940, the United States attorney for the Eastern District of New York filed a libel against 300 cases of orange juice at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about May 20, 1940, by Apte Bros. from Tampa, Fla.; 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: (Cans) "Orange Juice Sweet Life \* \* \* Distributed by Sweet Life Food Corp. Brooklyn, N. Y."

On October 8, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

## CEREAL PRODUCTS

### FLOUR

Nos. 954 to 1003 report the seizure and disposition of flour which had been shipped in interstate commerce and was in interstate commerce at the time of examination and was found to be insect-infested at that time. When such infestation took place was not determined.

**954. Adulteration of flour. U. S. v. 666, 64, and 18 Bags of Flour. Consent decree of condemnation and destruction.** (F. D. C. No. 3230. Sample No. 20874-E.)

On or about October 21, 1940, the United States attorney for the Southern District of Georgia filed a libel against 748 bags of flour at Augusta, Ga., alleging that the article had been shipped in interstate commerce on or about May 29 and June 27, 1940, by the Acme Mills from Hopkinsville, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Victory Fancy Patent Flour Bleached."

On November 30, 1940, the Acme Mills having filed an answer averring that the flour was good and merchantable when shipped in interstate commerce but admitting that it had become unfit for human consumption by reason of becoming infested with bugs, weevils, and worms, as the result of natural causes, and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**955. Adulteration of flour. U. S. v. 101 Bags and 173 Bags of Flour. Consent decrees of condemnation. Product ordered released under bond conditioned that it be denatured.** (F. D. C. Nos. 2831, 3044. Sample Nos. 11121-E, 11124-E.)

On September 13 and 19, 1940, the United States attorney for the Southern District of Texas filed libels against 274 bags of flour at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about March 7 and about June 6, 1940, by the Alva Roller Mills from Alva, Okla.; 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: "Honey Bee 1-G Flour" or "Robust Hi Gluten Flour."

On November 27, 1940, the Alva Roller Mills, 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 denatured and disposed of as feed for livestock.

**956. Adulteration of flour. U. S. v. 79, 79, and 163 Sacks of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 2593. Sample Nos. 15312-E, 15313-E, 15314-E, 15316-E.)

On August 16, 1940, the United States attorney for the Eastern District of Arkansas filed a libel against 321 sacks of flour at Helena, Ark., alleging that the article had been shipped in interstate commerce within the period from on or about March 18 to on or about May 13, 1940, by the Arkansas City Flour Mills Co. from Arkansas City, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed substance. The article was labeled in part: "Peter Rabbit Flour" or "Gingham Girl Flour."

On October 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**957. Adulteration of flour. U. S. v. 116 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 2690. Sample No. 15890-E.)

On August 26, 1940, the United States attorney for the Eastern District of Missouri filed a libel against 116 bags of flour at St. Louis, Mo., alleging that the article had been shipped in interstate commerce within the period from on or about May 25, 1938, to September 14, 1939, by the Arnold Milling Co. from Sterling, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Real Treat Flour Distributed by L. Cohen Grocer Co."

On September 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**958. Adulteration of flour. U. S. v. 240 Bags of Flour. Consent decree of condemnation. Product released under bond to be used as feed for livestock.** (F. D. C. No. 2336. Sample No. 28056-E.)

On July 9, 1940, the United States attorney for the District of Columbia filed a libel against 240 bags of flour at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about February 2, 1940, by the Burrus Mill & Elevator Co. from Kingfisher, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "TNT \* \* \* Hard Wheat Flour High Gluten."

On August 1, 1940, the Wilkins-Rogers Milling Co. Inc., Washington, D. 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 mixed with other ingredients so that it could not be used for human consumption but might be used for animal feed.

**959. Adulteration of flour. U. S. v. 20 Bags and 74 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 2830. Sample Nos. 35099-E, 35100-E.)

On September 13, 1940, the United States attorney for the Southern District of Texas filed a libel against 94 bags of flour at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about February 29, 1940, by the Chickasha Milling Co. from Chickasha, Okla.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. Twenty bags were labeled in part, "High Gluten Flour Bleached"; the remaining portion was labeled in part, "Searchlight Flour Bleached."

On October 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**960. Adulteration of flour. U. S. v. 100 Bags of Flour. Default decree of condemnation and destruction.** (F. D. C. No. 3097. Sample No. 11139-E.)

On September 26, 1940, the United States attorney for the Eastern District of Texas filed a libel against 100 bags of flour at Beaumont, Tex., alleging that the article had been shipped in interstate commerce on or about July 24, 1940, by the Dobry Flour Mills, Inc., from Yukon, Okla.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Silver Peaks \* \* \* Flour Bleached."

On November 6, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.