

payment of the costs of the proceedings and the execution of a bond in the sum of \$1,250, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the said act, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10982. Adulteration and misbranding of flour. U. S. v. 4,000 Sacks, et al, of Flour. Consent decrees of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16421, 16422, 16423, 16700. I. S. Nos. 14201-t, 14202-t, 14203-t, 14204-t, 8067-v. S. Nos. W-1100, W-1101, W-1102, W-1103, W-1179.)

On June 17 and August 4, 1922, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 6,095 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped in part by Kerr Gifford & Co. and in part by the Portland Flouring Mills Co., from Portland, Oreg., between the dates of May 22 and June 1, 1922, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled variously in part: "Olympic Flour Made in U. S. A. By The Portland Flouring Mills Co. Bleached 98 Lbs. Net \* \* \*;" "Victory Bell Flour Manufactured By Kerr Gifford & Co. Inc. Portland, Oregon. Bleached 98 Lbs. Net \* \* \*;" "Magnolia Choice Pastry Flour The Portland Flouring Mills Co. Bleached 98 Lbs. \* \* \*;" "Colonial Flour. \* \* \* Bleached Net Weight 98 Lbs. When Packed;" "Viking Flour Manufactured By Kerr Gifford & Co. Inc. Portland, Oregon \* \* \* 98 Lbs. Net When Packed Bleached."

Adulteration was alleged in the libels, with respect to the Olympic, Victory Bell, and Magnolia brands of flour, for the reason that water had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged in substance, with respect to the Olympic, Victory Bell, Colonial, and Viking brands of flour, for the reason that the respective statements appearing on the labels of the sacks containing the article, to wit, "98 Lbs.," "98 Lbs. Net," or "Net Weight 98 Lbs. When Packed," as the case might be, were false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 19, August 3, and August 11, 1922, respectively, Kerr Gifford & Co.; Portland, Oreg., and the California-Olympic Flour Co., San Francisco, Calif., having entered their appearances as claimants for respective portions of the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the respective claimants upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that the said product be made to conform with the provisions of the said act, under the supervision of this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10983. Adulteration and misbranding of flour. U. S. v. 500 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16610. I. S. No. 8051-v. S. No. W-1153.)

On July 10, 1922, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of flour, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by R. P. T. Jossem & Son, Holmes, Wash., on or about June 12, 1922, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that water and bleached flour had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.