

20183. Adulteration of caraway seed. U.S. v. 1½ Bags of Caraway Seed. Decree of condemnation and destruction. (F. & D. no. 28734. Sample no. 8934-A.)

This action involved the interstate shipment of a quantity of caraway seed which was found to contain rodent excreta.

On August 22, 1932, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of one and one half bags of caraway seed, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about July 30, 1932, by Habicht Braun Co., from New York City, N.Y., to Pittsburgh, Pa., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On December 19, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20184. Adulteration and misbranding of rye flour. U.S. v. 294 Sacks of Flour. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 28878. Sample no. 10880-A.)

This action involved the shipment of a quantity of rye flour which had been bleached and which was not properly labeled to indicate that it was bleached flour.

On September 14, 1932, 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 of the United States for the district aforesaid a libel praying seizure and condemnation of 294 sacks of flour at New York, N.Y., alleging that the article had been shipped in interstate commerce, on or about August 13, 1932, by the Christian Mills, Inc., from Hastings, Minn., to New York, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Christian's Pure White Rye Flour Christian Mills * * * Minneapolis, Minn."

It was alleged in the libel that the article was adulterated in that a substance, artificially bleached rye flour, had been substituted for white rye flour.

Misbranding was alleged for the reason that the statement on the label, "Pure White Rye Flour", was false and misleading and deceived and misled purchasers, when applied to an artificially bleached flour. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

A claim was interposed for the property through J. A. Lenhardt, Inc., agent for claimant, who admitted the allegations of the libel and consented to the entry of a decree. On September 28, 1932, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be conspicuously labeled, "Bleached with Chlorine", and should not be disposed of except in compliance with the law, State and Federal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20185. Adulteration and misbranding of shelled peanuts. U.S. v. 275 Bags of Shelled Peanuts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 28824. Sample no. 15226-A.)

This action involved a quantity of shelled peanuts which were found to be in part insect infested and worm eaten; no declaration of quantity of contents appeared on the label.

On August 29, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 275 bags of shelled peanuts, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about June 25, 1932, by the Planters Nut & Chocolate Co., from Suffolk, Va., to Seattle, Wash., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.