

ordered released under bond conditioned that the bottles and cases be salvaged and the contents destroyed.

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

29320. Adulteration of cherries. U. S. v. 314 Baskets of Cherries. Default decree of condemnation and destruction. (F. & D. No. 43146. Sample No. 29891-D.)

This product was contaminated with lead. ©

On July 16, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 314 baskets of cherries at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about July 15, 1938, by J. Edward McGowan from Marlborough, N. Y.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled "Jeremiah Lasher Germantown N. Y."

It was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On August 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29321. Misbranding of canned cherries. U. S. v. 24 Cases of Cherries. Default decree of condemnation and destruction. (F. & D. No. 43087. Sample No. 18049-D.)

This product was substandard because the cherries were packed in water, and it was not labeled to indicate that it was substandard.

On July 16, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of canned cherries at Oakland, Calif.; alleging that the article had been shipped in interstate commerce on or about April 29, 1938, by Paulus Bros. Packing Co. from Portland, Oreg.; and charging misbranding in violation of the Food and Drugs Act. It was labeled in part: "White Tag R. S. P. Cherries * * * Paulus Bros. Packing Co. Salem, Oregon."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, since it was water pack and its package or label did not bear the plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On August 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29322. Adulteration of huckleberries. U. S. v. 13 Crates of Huckleberries. Default decree of condemnation and destruction. (F. & D. No. 43235. Sample No. 29898-D.)

This product was infested with maggots.

On July 26, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 crates of huckleberries at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about July 24, 1938, by A. W. Colwell from Clinton, N. C.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

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

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

29323. Adulteration of curry powder. U. S. v. 6 Cans of Curry Powder. Default decree of condemnation and destruction. (F. & D. No. 43127. Sample No. 19148-D.)

This product contained excessive lead.

On July 26, 1938, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six cans of curry powder at Los Angeles, Calif.; alleging that the article had been imported

into the United States on or about April 22, 1938, that it had been shipped from Madras, India, by Chettier & Co.; and charging that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On August 27, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29324. Adulteration of flour. U. S. v. 280 Sacks of Flour. Decree of condemnation. Product released under bond. (F. & D. No. 43084. Sample No. 28976-D.)

This product was insect-infested.

On July 18, 1938, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 280 sacks of flour at Atlanta, Ga.; alleging that the article had been shipped in interstate commerce on or about September 17, 1937, from Tampa, Fla., by Ballard & Ballard Co.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Blue Grass Self-Rising Flour * * * Pioneer Mills Louisville, Ky."

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

On August 13, 1938, Ballard & Ballard 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 otherwise disposed of contrary to the provisions of law, both State and Federal.

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

29325. Adulteration of crab meat. U. S. v. 44 Pounds of Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 43157. Sample No. 34143-D.)

This product contained evidence of the presence of filth.

On July 21, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 44 pounds of crab meat at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about July 19, 1938, by W. C. Larrimore from St. Michaels, Md.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted of a filthy animal substance.

On August 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29326. Adulteration and misbranding of flour. U. S. v. 185 Bags and 56 Bags of Flour. Consent decrees of condemnation. Product released under bond, one lot to be relabeled and the other to be disposed of for purposes other than for human food. (F. & D. Nos. 43219, 43220. Sample Nos. 37627-D, 37628-D.)

One lot of this flour was insect-infested; and the other was bleached and its label failed to bear a conspicuous statement indicating that it was bleached.

On August 8, 1938, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 241 bags of flour at New Orleans, La.; alleging that the article had been shipped in interstate commerce on or about July 6, 1938, by Kimbell Diamond Milling Co., from Sherman, Tex.; and charging adulteration and misbranding in violation of the Food and Drugs Act. One lot was labeled: "Kimbell's Best Baker's Patent Flour Manufactured by Kimbell Diamond Milling Co. Sherman, Tex." The other lot was labeled: "Whitewright Milling Co. Lone Star Extra Quality Baker's Flour Fort Worth, Texas bleached."

One lot was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.