

On September 9, 1938, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 sacks of flour at Alexandria, La.; alleging that the article had been shipped in part on or about March 30, 1937, and in part on or about December 30, 1937, by the Globe Grain & Milling Co. from Little Rock, Ark.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ogden Flour Mills Ogden, Utah \* \* \* Blue Bunny Wheat Flour."

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

On December 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30097. Adulteration of cheese. U. S. v. Arno Struve and Rudolph R. Struve (Struve Cheese Factory). Pleas of guilty. Fines, \$100. (F. & D. No. 42551. Sample No. 3385-D.)**

This product was deficient in milk fat.

On September 17, 1938, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Arno Struve and Rudolph R. Struve, copartners, trading as Struve Cheese Factory, Abernathy, Tex., alleging sale and delivery by said defendants under a guaranty that the product complied with the Food and Drugs Act, and its subsequent shipment from the State of Texas into the State of New Mexico on or about March 15, 1938, of a quantity of cheese that was adulterated.

Adulteration was alleged in that a product containing in the water-free state less than 50 percent of milk fat, had been wholly substituted for cheese, a product which should contain not less than 50 percent of milk fat.

On December 12, 1938, the defendants entered pleas of guilty and the court imposed a fine of \$50 against each.

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

**30098. Adulteration and misbranding of Glycopon AA. U. S. v. 1½ Gallons and 4⅞ Gallons of Glycopon AA. Default decree of condemnation and destruction. (F. & D. No. 40997. Sample Nos. 48090-C, 48557-C.)**

This product consisted of diethylene glycol, a poison.

On December 3, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of approximately 6¾ gallons of Glycopon AA at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about June 15, 1937, by Glyco Products Co., Inc., from New York, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that diethylene glycol, a poison, had been substituted for Glycopon AA, a food-flavor solvent which it purported to be.

It was alleged to be misbranded in that the statement "Glycopon AA" was false and misleading and tended to deceive and mislead the purchaser when applied to diethylene glycol, a poison; and in that it was sold under the distinctive name of another article, namely, Glycopon AA, a food-flavor solvent.

On December 5, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30099. Misbranding of Shake King crystals lemon flavor. U. S. v. 124 Cans of Shake King Crystals. Default decree of condemnation and destruction. (F. & D. No. 43705. Sample No. 32457-D.)**

This product was represented to be a lemon-flavored beverage base, but was essentially an artificially colored mixture of tartaric acid and glucose with little or no flavor of lemon.

On September 7, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 124 cans of the above-named product at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about June 24 and 27, 1938, by General Desserts Corporation from New York, N. Y.; and charging misbranding in violation

of the Food and Drugs Act. The article was labeled in part: "Distributed by Shake King Corp. \* \* \* Chicago, Ill."

It was alleged to be misbranded in that the statements on the label, "Crystals Lemon Flavor \* \* \* Natural Flavor," were false and misleading and tended to deceive and mislead the purchaser when applied to an artificially colored mixture of tartaric acid and glucose with little or no lemon.

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

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

**30100. Adulteration of coffee. U. S. v. 100 Bags of Coffee. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. No. 43857. Sample No. 26681-D.)**

This product, at the time of examination, was found to contain an excessive number of decomposed beans.

On September 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 100 bags of coffee at New York, N. Y.; alleging that the article had been imported from Santiago, Cuba, by Dr. Juan Vinas, and had arrived in New York on or about August 6, 1937; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that an excessive number of worthless beans, having no coffee beverage value had been mixed and packed with it so as to reduce or lower its quality or strength, and had been substituted wholly in part for the article.

On January 11, 1939, Machado & Co., New York, N. Y., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that the good be separated from the bad and the latter destroyed.

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

**30101. Adulteration of apples. U. S. v. 50 Bushels of Apples. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. & D. No. 44169. Sample No. 38632-D.)**

This product was contaminated with arsenic and lead.

On October 3, 1938, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 bushels of apples at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about August 30, 1938, by J. W. Macauley from Golden Eagle, Ill., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 16, 1938, no claimant having appeared, judgment of condemnation was entered and it was ordered that the apples be delivered to a charitable organization and that they be peeled and cored and the peelings and cores destroyed.

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

**30102. Adulteration of apples. U. S. v. 150 Bushels of Apples. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. & D. No. 44171. Sample No. 39002-D.)**

This product was contaminated with arsenic and lead.

On October 3, 1938, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 150 bushels of apples at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about September 24, 1938, by Abe Weinstein from Grafton, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 16, 1938, no claimant having appeared, judgment of condemnation was entered and it was ordered that the apples be delivered to a charitable institution and that they be peeled and cored and the peelings and cores destroyed.

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