

30369. Adulteration of flour. U. S. v. 62 Bags of Flour. Consent decree of condemnation. Product released under bond. (F. & D. No. 44182. Sample No. 38172-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested and to contain rodent hairs.

On October 24, 1938, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 62 bags of flour at Montgomery, Ala.; alleging that the article had been shipped on or about August 27, 1938, by Russell-Miller Milling Co. from Minneapolis, Minn.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Spray Flour."

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

On February 20, 1939, Capital Grain & Feed Co., Montgomery, Ala., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be rendered unfit for human consumption and manufactured into feed for livestock.

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

30370. Adulteration and misbranding of flour. U. S. v. 61 Bags of Flour (and 2 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 43590, 43601, 43602, 44049. Sample Nos. 37841-D, 38061-D, 38063-D, 38064-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested. One lot was bleached but was not labeled to show that it was bleached.

On or about September 8, October 1, and October 10, 1938, the United States attorney for the Western District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 427 bags of flour in various lots at Lafayette, Opelousas, and De Ridder, La., consigned in part by General Mills, Inc., in part from Oklahoma City, Okla., and in part from Wichita Falls, Tex.; alleging that the article had been shipped within the period from on or about March 23, 1938, to on or about August 24, 1938; and charging that the article was adulterated, and that a part was misbranded in violation of the Food and Drugs Act. The article was labeled in part variously: "Landmark Flour, Oklahoma City Mill and Elev. Co., Oklahoma City, Okla."; "Big Bird [or "Express"] Flour, Prudential Milling Co., Distributor, Minneapolis, Minn."; "Purasnow Flour * * * Wichita Mill & Elevator Co., Wichita Falls, Texas."

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance. The Landmark brand was alleged to be adulterated further in that bleached flour had been substituted wholly or in part for the article.

The Landmark brand was alleged to be misbranded in that the statement "Flour," borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to bleached flour.

On January 6 and February 2, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30371. Adulteration of flour. U. S. v. 148 Bags of Flour. Consent decree of condemnation. Product released under bond. (F. & D. No. 44185. Sample No. 38169-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On October 24, 1938, the United States attorney for the Middle District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 148 bags of flour at Montgomery, Ala.; alleging that the article had been shipped on or about September 2, 1938, by Wall-Rogalsky [Wall-Rogalsky Milling Co.] from McPherson, Kans.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "The Wall-Rogalsky Milling Co."