

30524. Adulteration of flour. U. S. v. 91 Bags of Flour (and 6 other seizure actions against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44181, 44188 to 44193, inclusive. Sample Nos. 49793-D to 49799-D, inclusive.)

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 21, 1938, the United States attorney for the Southern District of Mississippi, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 452 bags of flour at Jackson, Miss.; alleging that the article had been shipped within the period from on or about July 11, 1938, to on or about September 12, 1938, by Ballard & Ballard Co., Inc., in various shipments from Louisville, Ky., Nashville, Tenn., and Sherman, Tex.; and charging adulteration in violation of the Food and Drugs Act. Portions of the article were labeled: "Table Talk [or "Baker's Special," "Ballards One Forty," "Blue Bird," or "Ballard's BBF"] Flour * * * Ballard and Ballard Co., Inc., Louisville, Ky." The remainder was labeled: "Snowball Flour * * * Packed for O. K. Mills, Louisville, Ky."

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

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

M. L. WILSON, *Acting Secretary of Agriculture.*

30525. Adulteration of frozen fish. U. S. v. 600 Boxes of Ocean Perch (and 10 other seizure actions against similar products). Decrees of condemnation. Two lots ordered released under bond conditioned that good portion be salvaged. Remaining lots ordered destroyed. (F. & D. Nos. 44833, 44865, 44889, 44890, 44891, 44930, 44941, 45036, 45037, 45038, 45043, 45094, 45100, 45108, 45150. Sample Nos. 32383-D, 34392-D, 35121-D, 37381-D, 41194-D, 41196-D, 41197-D, 44967-D, 50317-D, 50318-D, 50319-D, 54042-D, 54716-D, 62644-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination decomposition was found in certain lots, others contained parasitic worms, and in others both conditions were found.

Between February 24 and April 6, 1939, the United States attorneys for the District of Colorado, Northern District of Illinois, Middle District of Alabama, Eastern District of Wisconsin, District of Columbia, Southern District of Texas, Northern District of Georgia, District of Nebraska, Western District of New York, and the Southern District of West Virginia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 4,717 cases and boxes of frozen fish, in various lots at Denver, Colo., Chicago, Ill., Montgomery, Ala., Omaha, Nebr., Milwaukee, Wis., Washington, D. C., Houston, Tex., Atlanta, Ga., Elmira, N. Y., and Charleston, W. Va. The libels alleged that the article had been shipped within the period from on or about September 26, 1938, to on or about March 22, 1939; that the shipments, with one exception, had been made by Gorton-Pew Fisheries Co., Ltd., from Gloucester, Mass.; and that it was adulterated in violation of the Food and Drugs Act. One shipment had been made by the Commonwealth Ice & Cold Storage Co. for Gorton-Pew Fisheries, from Boston, Mass. The article was labeled in part variously: "Clipper Brand Ocean Perch"; "Ocean Perch"; "Gorton's Butterfly Whiting Fillets"; "H & G Whiting."

It was alleged to be adulterated in that a portion consisted wholly or in part of a decomposed animal substance, a portion consisted wholly or in part of a filthy animal substance, and a portion consisted in whole or in part of a filthy and decomposed animal substance.

On March 28 and April 14, 1939, Gorton-Pew Fisheries Co., Ltd., having appeared as claimant for the lots seized at Montgomery, Ala., and Chicago, Ill., judgments of condemnation were entered and the said lots were ordered released under bond for salvaging the good portion. Between March 21 and May 19, 1939, no claim having been entered for the remaining lots, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*