

Buttermilk Pancake and Waffle Flour"; "Globe A 1 White Corn Meal"; "Globe A 1 Flour Bleached"; "Globe A 1 Yellow Corn Meal."

On January 10, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

188. Adulteration of corn meal. U. S. v. Fifteen 48-Pound Sacks and 167 96-Pound Sacks of Ground Meal. Consent decree of condemnation. Product ordered released under bond to be denatured. (F. D. C. No. 889. Sample No. 65815-D.)

On or about November 8, 1939, the United States attorney for the Southern District of Florida filed a libel against fifteen 48-pound sacks and one hundred and sixty-seven 96-pound sacks of corn meal at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about October 23, 1939, by Interstate Milling Co. from Charlotte, N. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. It was labeled in part: "Fancy Table Rock Ground Meal Triangle Crystal White.

On December 11, 1939, the Interstate Milling Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered ordering release of the product under bond conditioned that it be denatured and disposed of as cattle feed.

189. Adulteration of corn meal. U. S. v. 51 Sacks of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 810. Sample No. 61055-D.)

On October 27, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 51 sacks of corn meal at Plaquemine, La., alleging that the article had been shipped in interstate commerce within the period from on or about March 15, 1938, to on or about September 26, 1939, by Decatur Milling Co., Inc., from Decatur, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "Degerminated Hudnuts Cream Meal."

On December 16, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

190. Adulteration of corn meal. U. S. v. 90 Sacks of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 1108. Sample No. 87243-D.)

On November 30, 1939, the United States attorney for the Southern District of Georgia filed a libel against 90 sacks of corn meal at Savannah, Ga., alleging that the article had been shipped on or about November 18, 1939, by Bishopville Milling Co. from Bishopville, S. C.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Pee Dee Unbolted Corn Meal."

On December 26, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

191. Adulteration of corn meal. U. S. v. 18 Bags and 67 Bags of Corn Meal. Default decree of condemnation and destruction. (F. D. C. Nos. 689, 690. Sample Nos. 61045-D, 61119-D, 61120-D.)

On October 10, 1939, the United States attorney for the Southern District of Alabama filed a libel against 85 bags of corn meal at Mobile, Ala., alleging that the article had been shipped on or about September 2 and 11, 1939, by Illinois Cereal Mills, Inc., from Paris, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The article was labeled in part: "Blossom Bolted Degerminated White Corn Cream Meal."

On January 12, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MACARONI PRODUCTS

192. Misbranding of macaroni and spaghetti. U. S. v. 22, 84, and 57 Cases of Macaroni and Spaghetti (and 2 other seizure actions against macaroni and spaghetti). Default decrees of condemnation. Portion of products ordered delivered to charitable organizations; remainder ordered destroyed. (F. D. C. Nos. 703, 704, 705. Sample Nos. 65989-D to 65993-D, incl.)

These products were short weight, the packages were slack-filled and in four of the five lots the statement of the quantity of the contents was inconspicuous.

On October 10 and 11, 1939, the United States attorneys for the Southern and Middle Districts of Georgia filed libels against 163 cases of macaroni and spaghetti at Waycross, Ga.; 46 cases of macaroni at Valdosta, Ga.; and 44 cases of macaroni at Nashville, Ga., alleging that the articles had been shipped in interstate commerce by Ferlita Macaroni Co., Inc., from Tampa, Fla., within the period from on or about May 15, 1939, to on or about September 13, 1939; and charging that they were misbranded. Portions of the articles were labeled in part: "Tampa-Maid Brand Spaghetti [or "Macaroni"] * * * Ferlita Macaroni Co., Inc. Tampa, Florida." One lot was labeled in part: "Big Bite Brand Macaroni * * * Tampa Macaroni Co., Tampa, Fla."

Misbranding was alleged with respect to all lots in that the statements in the labeling, "6 Ozs. Net When Packed" or "6 Oz. Net," were false and misleading as applied to articles that were short weight; in that the articles were in package form and did not bear an accurate statement of the quantity of contents; and in that the containers were so made, formed, or filled as to be misleading. The Tampa-Maid brand was alleged to be misbranded further in that the statement of quantity of contents appearing on the label was not placed thereon with such conspicuousness as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

On November 6 and December 11, 1939, no claimant having appeared, judgments of condemnation were entered, the lots seized at Waycross, Ga., were ordered delivered to charitable organizations, and the remaining lots were ordered destroyed.

193. Adulteration of egg noodles. U. S. v. 24 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. D. C. No. 571. Sample No. 61084-D.)

This product was in interstate commerce when examined, and at that time it was found to be insect-infested.

On September 9, 1939, the United States attorney for the Eastern District of Louisiana filed a libel against 24 cases of egg noodles at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about October 13, 1938, and January 10 and August 12, 1939, by the Quaker Oats Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Uncle Sam's First Quality American Process Genuine Egg Noodles."

On October 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

194. Misbranding of spaghetti. U. S. v. 104 Cases of Spaghetti. Default decree of condemnation. Product delivered to charitable organizations. (F. D. C. No. 805. Sample No. 47927-D.)

Examination of the containers of this product showed that the spaghetti occupied on an average about 57 percent of the volume of the package.

On October 24, 1939, the United States attorney for the District of Maryland filed a libel against 104 cases of spaghetti at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about August 2 and 7, 1939, by S. Viviano Macaroni Manufacturing Co. from Carnegie, Pa.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading. It was labeled in part: "Dixie Brand Spaghetti Packed for Maryland Grocery Co. Baltimore, Md."

On December 19, 1939, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to charitable organizations.

RICE

Nos. 195 and 196 of this publication report the seizure and disposition of rice which was in interstate commerce at the time of examination and which was insect-infested at that time.

195. Adulteration of rice. U. S. v. 27 Bags of Rice. Default decree of condemnation and destruction. (F. D. C. No. 739. Sample No. 61049-D.)

On or about October 20, 1939, the United States attorney for the Northern District of Florida filed a libel against 27 bags of rice at Pensacola, Fla. (libel amended about November 20, 1939), alleging that the article had been shipped on or about August 12, 1939, by Louisiana State Rice Milling Co., Inc., from New Orleans, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Water Boy Louisiana State Rice."

On November 4, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.