

label of one lot the weight was stated in terms of grams, which unit of weight is not familiar to many persons.

On or about October 10, 1939, the United States attorney for the Western District of Virginia filed a libel against 181 packages of tea at Danville, Va., consigned by Stephen Leeman Products Corporation, alleging that the article had been shipped in interstate commerce on or about July 6, 1939, from Sparkill, N. Y.; and charging that it was misbranded. The article was labeled in part: "Ming Orange Pekoe Choicest Tea Net Weight 7 Ounces"; and "Ming Blend of Orange Pekoe Tea Net Weight Over 70 Grams. Stephen Leeman Products Corp'n."

Both brands were alleged to be misbranded in that the statements, "Net Weight 7 Ounces" and "Net Weight Over 70 Grams," were false and misleading since they were incorrect. Both lots were alleged to be misbranded further in that their containers were so made, formed, or filled as to be misleading; and in that they were in package form and did not bear an accurate statement of the quantity of contents. The Ming Blend tea was alleged to be misbranded further in that the statement of the quantity of contents, required by law to appear on the label, was not placed thereon in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use, since the term "grams" is not familiar to many purchasers.

On March 22, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and it was ordered that the product be delivered to a charitable organization for its own use.

506. Misbranding of tea balls. U. S. v. 14 Cartons of Tea Balls. Default decree of condemnation. Product ordered delivered to a public welfare organization. (F. D. C. No. 1435. Sample No. 87531-D.)

These tea balls were packed in cartons, each carton containing 8 paper envelopes, each of which contained a filter-paper bag of tea. The envelopes were about twice as large as necessary and were loosely packed in the carton. The carton could easily have held twice the amount of tea bags.

On or about February 3, 1940, the United States attorney for the Southern District of Florida filed a libel against 14 cartons, each containing 288 retail cartons, of tea balls at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about January 8, 1940, by Standard Brands, Inc., from Hoboken, N. J.; and charging that it was misbranded in that its container was so made, formed, or filled as to be misleading. The article was labeled in part: "Tender Leaf Brand * * * Tea."

On April 23, 1940, Standard Brands, Inc., having withdrawn its claim and no other claimant having appeared, judgment of condemnation was entered, the court retaining jurisdiction, however, for the purpose of entering further orders as to the disposition of the product. On May 1, 1940, the product was ordered delivered to a public welfare organization.

WHISKY.

507. Adulteration of whisky. U. S. v. 1 Barrel of Whisky. Default decree of condemnation and destruction. (F. D. C. No. 1801. Sample No. 4743-E.)

This product contained excessive quantities of aldehydes.

On April 11, 1940, the United States attorney for the Northern District of Illinois filed a libel against 1 barrel of whisky at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 7, 1939, by Tom Moore Distillery from Bardstown, Ky.; and charging that it was adulterated.

It was alleged to be adulterated in that a substance which contained excessive quantities of aldehydes had been substituted wholly or in part for whisky, and had been added thereto or mixed or packed therewith so as to reduce its quality or strength.

On May 7, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CEREAL PRODUCTS

FLOUR

Nos. 508 to 514 of this publication report the seizure and disposition of flour which was in interstate commerce at the time of examination and was found to be insect-infested at that time.