The article was alleged to be adulterated in that it consisted in whole and in part of a filthy, decomposed, and putrid vegetable substance.

On October 28, 1938, the defendant entered a plea of guilty and the court imposed a fine of $200.

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

30352. Misbranding of malt feed. U. S. v. 380 Sacks of Fruen's Malt Feed. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. No. 44621. Sample No. 4662–D.)

This product contained less protein, less fat, and more fiber than was stated in the labeling.

On January 7, 1939, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 380 sacks of malt feed at Boscobel, Wis.; alleging that the article had been shipped in interstate commerce on or about November 15, 1938, by Fruen Milling Co. from Minneapolis, Minn.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the following statements on the tag, "Guaranteed Analysis Protein, more than 14.00% Fat, more than 2.00% Fiber, less than 17.00%," were false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained less protein and fat and more fiber than was stated in the labeling, namely, 9.70 percent protein, 1.07 percent fat, and 26.78 percent fiber.

On February 21, 1939, Fruen Milling Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled to comply with the law.

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

30353. Adulteration of flour. U. S. v. 170 Sacks and 28 Bags of Flour. Default decrees of condemnation and destruction. (F. & D. Nos. 44565, 44566. Sample Nos. 50215–D, 50216–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 December 27, 1938, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 198 sacks of flour at Meridian, Miss.; alleging that the article had been shipped within the period from June 22 to July 16, 1938, by Freeburg Milling Co. from Freeburg, Ill.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Red Band Seal of Quality."

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

On March 21, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30354. Adulteration of candy. U. S. v. 5 Boxes and 23 Boxes of Candy. Default decree of condemnation and destruction. (F. & D. Nos. 43294, 43295. Sample Nos. 27673–D, 27674–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 August 25, 1938, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 28 boxes of candy at Springfield, Ill.; alleging that 5 boxes of the article had been shipped on or about February 23, 1938, by Sperry Candy Co. from Milwaukee, Wis., and that 23 boxes had been shipped on or about September 27, 1937, by Chase Candy Co. from St. Joseph, Mo.; and charging adulteration in violation of the Food and Drugs Act.

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

On March 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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