a libel praying seizure and condemnation of 29 bottles of relish at Atlantic City, N. J.; alleging that the article had been shipped in interstate commerce on or about August 29, 1938, from Philadelphia, Pa., by Da Costa & Co.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Da Costa Brand Sweet India Relish."

It was alleged to be adulterated in that a substance containing added saccharin had been substituted wholly or in part for the article. Further adulteration was alleged in that it contained an added deleterious ingredient, saccharin, which might have rendered it injurious to health.

Misbranding was alleged in that the label statements, "Contains pickles, pimentos, spices and sugar" and "Contents 1 Quart," were false and misleading and tended to deceive and mislead the purchaser when applied to an article that contained saccharin and the quantity of the contents of which was more than 1 quart. Further misbranding was alleged in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On June 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30659. Adulteration of canned cherries. U. S. v. 158 Cases of Canned Cherries. Default decree of condemnation and destruction. (F. & D. No. 45355. Sample Nos. 34872-D, 39879-D.)

This product was in part decomposed.

On May 16, 1939, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 158 cases of canned cherries at Washington, D. C.; alleging that the article had been shipped in interstate commerce on or about March 27, 1939, from Seattle, Wash., by Taylor-Edwards Warehouse & Transfer Co., Inc.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Delectas Royal Anne Cherries. * * * Packed by Olympia Canning Company, Olympia, Wash."

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

On June 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30660. Adulteration of butter. U. S. v. Eight Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. & D. No. 45459. Sample No. 51587-D.)

This product contained less than 80 percent of milk fat.

On May 29, 1939, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight tubs of butter at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about May 17, 1939, from Maynard, Minn., by Maynard Cooperative Creamery Association; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On June 13, 1939, C. J. Heyd & Co., Philadelphia, Pa., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it not be disposed of contrary to law and that it be reconditioned under the supervision of this Department so as to conform to the law.

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

30661. Adulteration of buckwheat flour. U. S. v. 30 Bags of Flour. Default decree of condemnation and destruction. (F. & D. No. 44791. Sample No. 32371-D.)

This product contained atropine alkaloids, the source of which was probably jimsonweed seed or similar weed seeds in the buckwheat.