

**30734. Adulteration of dried peaches. U. S. v. 48 Boxes of Peaches. Default decree of condemnation and destruction.** (F. & D. No. 44744. Sample No. 36147-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be insect-infested.

On January 31, 1939, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 boxes of peaches at Medford, Oreg.; alleging that the article had been shipped on or about January 7, 1939, by Jacobsen Shealy Co., Inc., from San Francisco, Calif.; and charging adulteration in violation of the Food and Drugs Act.

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

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

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

**30735. Adulteration of sweet pickles. U. S. v. One Keg of Sweet Pickles. Default decree of condemnation and destruction.** (F. & D. No. 44676. Sample No. 37336-D.)

This product had been shipped in interstate commerce and remained unsold and in the original package. At the time of examination it was found to contain insect fragments and rodent hairs.

On January 23, 1939, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one keg of sweet pickles at St. Joseph, Mo.; alleging that the article had been shipped on or about October 26, 1938, by Thies Pickle Co. from Pepin, Wis.; and charging adulteration in violation of the Food and Drugs Act.

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

On March 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30736. Adulteration and misbranding of raspberry flavor. U. S. v. 3 Gallon Bottles of Pure Raspberry Flavor. Default decree of condemnation and destruction.** (F. & D. No. 44570. Sample No. 58639-D.)

This product was represented to be pure fruit raspberry flavor; whereas it contained beta-ionone, a synthetic chemical flavor not found in raspberries.

On December 22, 1938, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three gallon bottles of raspberry flavor at Cincinnati, Ohio; alleging that the article had been shipped in interstate commerce on or about October 3, 1938, by W. J. Bush & Co., Inc., from Linden, N. J.; and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a substance which contained beta-ionone, a synthetic chemical flavor, had been substituted wholly or in part for it; and in that it was mixed in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the statement "Pure Raspberry Flavor," borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained beta-ionone, a synthetic chemical flavor; and in that it was an imitation of and was offered for sale under the distinctive name of another article.

On February 2, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30737. Adulteration of butter. U. S. v. 51 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked.** (F. & D. No. 45226. Sample No. 54151-D.)

This product contained less than 80 percent of milk fat.

On March 27, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 tubs of butter at

Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 26, 1938, by Dairy Belt Cheese & Butter Co. from Spencer, Wis.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent milk fat, as provided by act of March 4, 1923.

On April 25, 1939, Beatrice Creamery Co., Chicago, Ill., claimant, having admitted the allegations of the libel 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 be reworked to the legal standard.

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

**30738. Adulteration of shelled peanuts. U. S. v. 250 Bags of Shelled Spanish Peanuts. Consent decree of condemnation. Product released under bond. (F. & D. No. 45417. Sample No. 55312-D.)**

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be in part dirty, insect-infested, and decomposed.

On May 24, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 250 bags of shelled peanuts at Chicago, Ill.; alleging that the article had been shipped on or about May 8, 1939, by Columbian Peanut Co. from Shellman, Ga.; and charging adulteration in violation of the Food and Drugs Act.

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

On June 16, 1939, the Columbian Peanut Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging the good portion.

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

**30739. Adulteration of butter. U. S. v. 33 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 45488. Sample No. 60634-D.)**

This product contained less than 80 percent of milk fat.

On May 29, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 tubs of butter at New York, N. Y., which had been shipped in interstate commerce on or about May 21, 1939, by Valley Creamery, Inc., from Harrisonburg, Va.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained 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 as provided by act of March 4, 1923.

On June 27, 1939, Dairy & Poultry Cooperatives, Inc., New York, N. Y., claimant, having admitted the allegations of the libel 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 be reworked to the legal standard.

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

**30740. Adulteration of tullibeas. U. S. v. Booth Fisheries Corporation. Plea of guilty. Fine, \$20. (F. & D. No. 42669. Sample Nos. 13051-D, 32903-D.)**

This product was infested with parasitic worms.

On May 9, 1939, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Booth Fisheries Corporation, having a place of business at Warroad, Minn., alleging shipment by said company in violation of the Food and Drugs Act, on or about October 4 and 5, 1938, from the State of Minnesota into the States of New York and Illinois, of quantities of tullibeas which were adulterated.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance, namely, parasite-infested tullibeas. It was alleged to be adulterated further in that it consisted of portions of animals unfit for food.