

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.

On June 26, 1939, a plea of guilty having been entered for the defendant, the court imposed a fine of \$20.

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

30741. Adulteration of butter. U. S. v. 18 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 45552. Sample No. 55605-D.)

This product contained less than 80 percent of milk fat.

On June 1, 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 18 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about May 22, 1939, by Boone Dairy, Inc., from Boone, Iowa; 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 the act of March 4, 1923.

On June 2, 1939, Boone Dairy, Inc., claimant, having admitted the allegations of the libel, 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.*

30742. Adulteration of butter. U. S. v. Falls City Creamery Co. Plea of guilty. Fine, \$50. (F. & D. No. 42698. Sample Nos. 41639-D, 41645-D, 41646-D, 41648-D.)

This product contained less than 80 percent of milk fat.

On April 28, 1939, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Falls City Creamery Co., a corporation, Falls City, Nebr., alleging shipment by said defendant in violation of the Food and Drugs Act on or about November 23 and 30, 1938, from the State of Nebraska into the State of Pennsylvania, of quantities of butter which was adulterated.

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

On May 20, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

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

30743. Adulteration of crab meat. U. S. v. George O. Powley (George O. Powley Co.). Plea of guilty. Fine, \$175 and costs. (F. & D. No. 40765. Sample Nos. 58810-C, 67381-C, 67466-C, 67467-C, 67472-C, 67488-C, 67489-C.)

This product contained evidence of the presence of filth.

On March 30, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George O. Powley, trading as George O. Powley Co., Wingate, Md., alleging shipment by said defendant in violation of the Food and Drugs Act, within the period from on or about August 9, 1937, to on or about September 6, 1937, from the State of Maryland into the State of Pennsylvania of quantities of crab meat which was adulterated.

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

On May 31, 1939, the defendant entered a plea of guilty and the court imposed a fine of \$175 and costs.

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

30744. Adulteration of butter. U. S. v. 26 Tubs, 65 Tubs, and 15 Tubs of Butter. Consent decree of condemnation. Product released under bond for reworking or denaturing. (F. & D. Nos. 44834, 44835, 44853. Sample Nos. 54117-D, 54119-D, 54121-D.)

Samples of this product were found to contain mineral oil, others were deficient in milk fat, and in others both conditions were found.

On January 21, 26, and 27, 1939, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 106 tubs of butter