in violation of the Food and Drugs Act. The articles were labeled in part, variously: "Ocean Perch Cello"; "Cape Ann Ocean Perch"; or "Whiting Fillets, Skins On."

The perch was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance. The whiting fillets were alleged to be adulterated in that they consisted in whole or in part of a decomposed animal substance.

Between May 17 and September 25, 1939, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30855. Misbranding of cottonseed cake. U. S. v. Terminal Oil Mill Co. Plea of guilty. Fine, $25 and costs. (F. & D. No. 42733. Sample No. 5961-D.)

This product contained a smaller proportion of protein than that declared on the label.

On July 24, 1939, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Terminal Oil Mill Co., a corporation, Oklahoma City, Okla., alleging shipment by said company in violation of the Food and Drugs Act on or about January 6, 1939, from the State of Oklahoma into the State of Kansas of a quantity of cottonseed cake that was misbranded. The article was labeled in part: "Big Chief Prime Cotton Seed Cake."

It was alleged to be misbranded in that the statement on the label, "Protein not less than 43.00%," was false and misleading and was borne on the label so as to deceive and mislead the purchaser since the article contained less than 43 percent of protein, namely, not more than 40.50 percent.

On July 28, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $25 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

30856. Adulteration and misbranding of olive oil. U. S. v. 11 Gallon Cans of Alleged Olive Oil. Default decree of condemnation and destruction. (F. & D. No. 40840. Sample No. 54924-C.)

This product consisted principally or entirely of cottonseed oil.

On November 16, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 11 gallon cans of alleged olive oil at Worcester, Mass.; alleging that the article had been shipped in interstate commerce on or about November 9, 1937, via truck of Michele Montecalvo, from Providence, R. I.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sublime Olive Oil Imported by Acomo Fo Lucca."

It was alleged to be adulterated in that cottonseed oil had been substituted wholly or in part for olive oil, which it purported to be.

It was alleged to be misbranded in that the statements on the label, "Pure Imported Olive Oil Italian Produce * * * Olive Oil Imported * * * Lucca," were false and misleading and tended to deceive the purchaser when applied to an article that was cottonseed oil and that purported to be a foreign product. It was alleged to be misbranded further in that it was offered for sale under the distinctive name of another article, namely, olive oil.

On September 18, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

30857. Adulteration of butter. U. S. v. Seven Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 45543. Sample No. 55606-D.)

This product contained less than 80 percent of milk fat.

On June 8, 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 seven tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about May 22, 1939, by Mooreland Community Creamery from Mooreland, Okla.; 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