not contain 1 pound, but did contain a less amount. All shipments were alleged to be misbranded 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 of the contents was omitted in one lot and incorrectly declared in the others.

On November 17, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $34.

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

29843. Misbranding of Lacticam. U. S. v. 9 Packages of Lacticam. Judgment of condemnation and destruction. (F. & D. No. 37401. Sample No. 57016–B.)

This product was labeled to create the impression that it contained the ingredients of whole milk; whereas it consisted of dried, powdered whey.

On March 21, 1936, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine packages of Lacticam at Detroit, Mich.; alleging that the article had been shipped in interstate commerce on or about October 3, 1935, by the Milk Minerals Co., Inc., from Chicago, Ill.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Lacticam a High Calcium Food Derived Entirely From Milk."

The Milk Minerals Co., Inc., appeared as claimant. The time for filing an answer was extended by agreement and the case was continued from time to time. On September 12, 1938, an amendment to the libel was filed.

The libel as amended alleged that the article was misbranded in that the statement "Essential Milk Nutrients in Concentrated Form," borne on the shipping case and on the label, was false and misleading since the article did not contain the ingredients of whole milk.

On October 31, 1938, the claimant having filed a motion to dismiss the amended libel, the motion was denied without opinion.

On November 15, 1938, the case having come on to be heard and the court having found that the allegations of the libel were true, judgment of condemnation was entered and the product was ordered destroyed.

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

29844. Adulteration of sausage flour. U. S. v. 9 Barrels of Sausage Flour. Default decree of condemnation and destruction. (F. & D. No. 43326. Sample No. 23818–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 19, 1938, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine barrels of sausage flour at Fort Worth, Tex.; alleging that the article had been shipped on or about April 19, 1938, from Omaha, Nebr.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Griffith's Processed Sausage Flour * * * The Griffith Laboratories Chicago."

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

On November 22, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29845. Adulteration of candy. U. S. v. 46 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43801. Sample No. 23826–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 September 8, 1938, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 46 cartons of candy at Fort Worth, Tex.; alleging that the article had been shipped within the period from on or about June 25 to on or about August 4, 1937, by Fair Play