It 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 as provided by act of March 4, 1923.

It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On November 11, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29865. Adulteration of almonds. U. S. v. 205 Bags and 91 Bags of Almonds. Decree of condemnation. Product released under bond. (F. & D. No. 44355. Sample No. 36228–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 worm-infested and moldy.

On November 18, 1938, 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 296 bags of almonds at Philadelphia, Pa.; alleging that the article had been shipped on or about October 20, 1938, by Rosenberg Bros. & Co. from Oakland, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ensign Brand California Nonpareil Almonds."

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

On December 2, 1938, Albert Nelson Co. Inc., Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it should not be sold or disposed of contrary to law.

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

29866. Adulteration of flour. U. S. v. 117 Bags of Flour. Default decree of condemnation and destruction. (F. & D. No. 43164. Sample No. 37802–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 1, 1938, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 117 bags of flour at Birmingham, Ala.; alleging that the article had been shipped on or about July 2, 1938, by the Hays City Flour Mills from Hays, Kans.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Golden Rod Flour."

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

On September 2, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29867. Adulteration of apples. U. S. v. 79 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 44231. Sample No. 21278–D.)

This product was contaminated with arsenic and lead.

On September 19, 1938, 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 79 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about September 11, 1938, by Batt Donovan from Lawrence, Mich.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 14, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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