On or about August 23, 1938, the United States attorney for the Southern 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 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 11, 1938, by Hewett & Eckel from Durant, Okla.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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

It was alleged to be misbranded in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On or about October 1, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29461. Adulteration of candy. U. S. v. 16 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43547. Sample No. 23938-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On September 1, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 7, 1938, by Fenn Bros., Inc., from Sioux Falls, S. Dak.; 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 or about October 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29462. Adulteration of candy. U. S. v. 2 Cases of Candy. Default decree of condemnation and destruction. (F. & D. No. 43845. Sample No. 30150-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested, stale, and to have a musty or rancid order.

On September 10, 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 two cases of candy at Philadelphia, Pa., consigned by West Bros., Miami, Fla.; alleging that the article had been shipped in interstate commerce on or about September 1, 1938, by West Bros. from Miami, Fla.; 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 October 3, 1938 no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29463. Adulteration of candy. U. S. v. 4 Cases of Candy. Default decree of condemnation and destruction. (F. & D. No. 43844. Sample No. 30149-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested, stale, and to have a musty or rancid odor.

On September 10, 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 four cases of candy at Philadelphia, Pa., consigned by the Eli Witt Cigar Co., Miami, Fla.; alleging that the article had been shipped in interstate commerce on or about September 1, 1938, from Miami, Fla.; 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 October 3, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29464. Adulteration and misbranding of candy. U. S. v. 15 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43203. Sample No. 37829–D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested. It also failed to bear a net-weight statement.

On August 4, 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 15 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in interstate commerce on or about December 30, 1937, by Elmer Candy Co., Inc., from New Orleans, La.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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

It was alleged to be misbranded in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On September 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29465. Adulteration of cream. U. S. v. One 5-Gallon and One 10-Gallon Can of Cream. Default decree of condemnation and destruction. (F. & D. No. 44151. Sample No. 41001–D.)

This product was filthy or decomposed, or both.

On July 19, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one 5-gallon can and one 10-gallon can of cream at Denver, Colo.; alleging that the article had been shipped in interstate commerce on or about July 17, 1938, in part by Alfred G. Davis from Montour, Idaho, and in part by Corbett Ice Cream Co. from Cheyenne, Wyo.; and charging adulteration in violation of the Food and Drugs Act.

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

On July 20, 1938, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

29466. Adulteration of butter. U. S. v. 12 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. No. 43793. Sample No. 26137–D.)

This product contained less than 80 percent of milk fat.

On August 22, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 tubs of butter at Jersey City, N. J.; alleging that the article had been shipped in interstate commerce on or about August 16, 1938, from Roanoke, Va., by Garst Bros. Dairy to New York, N. Y., and from there by truck to Jersey City, N. J.; and charging adulteration in violation of the Food and Drugs Act.

The article 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.

On September 21, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29467. Adulteration of candy. U. S. v. 10 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43222. Sample No. 23914–D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.