On or about August 6, 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 10 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 23, 1938, by American Candy Co. from Milwaukee, Wis.; 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 September 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29468. Adulteration and misbranding of dog food. U. S. v. 211 Cases of Dog Food. Default decree of condemnation and destruction. (F. & D. No. 42906. Sample No. 24367-D.)

This product was deficient in protein and contained added water.

On June 10, 1938, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 211 cases of dog food at Indianapolis, Ind.; alleging that the article had been shipped in interstate commerce on or about May 2, 1938, by the Banner Packing Co., of Des Moines, Iowa, from Chicago, Ill.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Blue Cross Dog Food * * * General Laboratories, Inc., Des Moines, Iowa."

Adulteration was alleged in that a substance deficient in protein and containing added water had been substituted in whole or in part for the article.

Misbranding was alleged in that the following statements in the labeling were false and misleading and tended to deceive and mislead the purchaser when applied to a product consisting of approximately 75 percent water and which contained only 7.74 percent of protein: "'* * * it *Is* everything—it *Has* everything I need.' This wholesome food is correctly balanced for the feeding of dogs and cats. Contains only red muscle meat from beef and horse—combined with bone, bone marrow, parts of wheat, soya flour, rolled oats, carrots, with salt, potassium iodide, cod liver oil and charcoal added. Guaranteed Analysis Crude Protein (Min.) 12%."

On August 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29469. Adulteration of candy. U. S. v. 17 and 13 Cartons of Candy (and two similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43030, 43265, 43266, 43338. Sample Nos. 23966-A, 37830-D, 37831-D, 37936-D.)

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

On July 8 and August 9 and 17, 1938, the United States attorneys for the Eastern District of Louisiana and the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 17 boxes of candy at New Orleans, La., and 52 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in various lots on or about February 9, March 10, and May 18, 1938, by Bunte Bros. from Chicago, Ill.; 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 September 12, 21, and 29, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29470. Adulteration of candy. U. S. v. 13 Cartons of Candy, et al. Default decree of condemnation and destruction. (F. & D. Nos. 43249, 43250, 43251. Sample Nos. 37835-D to 37837-D, inclusive.)

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.