28930. Adulteration of cashew nuts. U. S. v. 232 Boxes of Cashew Nuts. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. No. 41324. Sample No. 9523-C.)

This product was in part worm-infested.

On January 4, 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 232 boxes of cashew nuts at Jersey City, N. J., alleging that the article had been imported by Wood & Selick, Inc., on or about December 4, 1935, 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 vegetable substance.

On May 5, 1938, Wood & Selick, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed.

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

28931. Adulteration of candy. U. S. v. 9 Cases of Candy. Default decree of condemnation. Product destroyed. (F. & D. No. 40866. Sample No. 61165-C.)

This product contained insect fragments and dirt.

On November 18, 1937, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine cases of candy at Jackson, Miss., alleging that the article had been shipped in interstate commerce on or about July 6, 1937, from Louisville, Ky., by Bradas & Gheens, Louisville, Ky., and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Assorted Jellies Bradas & Gheens, Louisville, Ky."

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

On May 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of in the manner provided by law. It was destroyed by the United States marshal.

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

28932. Adulteration of butter. U. S. v. Southern Butter Co. Plea of guilty. Fine, $125. (F. & D. No. 40799. Sample Nos. 46745-C, 49506-C, 60427-C, 60428-C, 60431-C.)

This product contained less than 80 percent of milk fat.

On April 25, 1938, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Southern Butter Co., a corporation, Muskogee, Okla., alleging shipment by said defendant in violation of the Food and Drugs Act on or about August 2, 9, 18, and 30, and September 7, 1937, from the State of Oklahoma into the State of Illinois of quantities of butter which was adulterated.

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 product which should contain not less than 80 percent of milk fat, as prescribed by the act of March 4, 1923, which the article purported to be.

On May 2, 1938, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $125.

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

28933. Adulteration of fish roe. U. S. v. 3 Barrels of Fish Roe. Default decree of condemnation and destruction. (F. & D. No. 41995. Sample No. 7515-D.)

This product contained parasitic worms and fish scales.

On March 19, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three barrels of fish roe at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about March 3, 1938, from Two Rivers, Wis., by LaFond Fisheries, and charging adulteration in violation of the Food and Drugs Act.