district court a libel praying seizure and condemnation of 162 cases of beer at Kansas City, Mo., alleging that the article had been shipped in interstate commerce, on or about January 21, 1936, by the Fontenelle Brewing Co., from Omaha, Nebr., and that it was misbranded in violation of the Food and Drugs Act. A portion of the article was in 12-ounce bottles labeled, "Robin Hood 6 percent Beer." The remainder was in half-gallon bottles, labeled: "Robin Hood Picnic Beer 6 percent."

The article was alleged to be misbranded in that the statement "6 per cent", borne on the label, was false and misleading and tended to deceive and mislead purchasers of the article, since the article in the 12-ounce bottles contained an average of only 4.59 percent of alcohol by volume, and the article in the half-gallon bottles contained an average of only 4.64 percent of alcohol by volume.

On January 28, 1936, the Fontenelle Brewing Co., Omaha, Nebr., claimant, having admitted the allegations of the libel and consented to the entry of a decree of condemnation, judgment was entered ordering that the product be released under bond conditioned that it be relabeled under the supervision of this Department.

W. R. GREGG, *Acting Secretary of Agriculture.*

25787. Adulteration of frozen tullibees. U. S. v. 30 Boxes of Frozen Tullibees, et al. Consent decrees of condemnation. Product released under bond. (F. & D. nos. 37125, 37139, 37144. Sample nos. 48069–B, 48070–B, 48071–B.)

These cases involved shipments of frozen tullibees that consisted in part of a filthy animal substance.

On January 27, 30, and 31, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 115 boxes of frozen tullibees, more or less, at Milwaukee, Wis., alleging that the article had been shipped in various shipments between the dates of December 5, 1935, and January 15, 1936, by the Keystone Fisheries, Inc., from Winnipeg, Manitoba, Canada, and that the article was adulterated in violation of the Food and Drugs Act. A portion of the article was labeled, "Product of Canada."

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

On May 25, 1936, the B. F. Griffin Co., Inc., claimant, admitted the allegations of the libels, judgments of condemnation were entered, and the article was released under bond to be exported by the claimant to the consignor in the country from which the article was shipped.

W. R. GREGG, *Acting Secretary of Agriculture.*

25788. Adulteration of pecans. U. S. v. 40,000 Pounds of Pecans. Default decree of condemnation and destruction. (F. & D. no. 37128. Sample no. 53033–B.)

This case involved unshelled pecans which were in part moldy, decomposed, and wormy.

On January 29, 1936, the United States attorney for the Middle District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40,000 pounds of unshelled pecans at Albany, Ga., alleging that the article had been shipped in interstate commerce on or about January 10, 1936, by J. W. McConnell & Sons, from San Saba, Tex., 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 and decomposed vegetable substance.

On February 27, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25789. Adulteration of Limburger cheese. U. S. v. 136 Packages of Limburger Cheese. Default decree of condemnation and destruction. (F. & D. no. 37181. Sample no. 53724–B.)

This case involved a shipment of cheese which contained a filthy animal substance, portions of insects.

On February 7, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 136 packages of a product labeled, "Swift's Brookfield Limburger Pasteurized Process Cheese",