merce to Vancouver, Wash., in part on or about March 25, 1937, by the Western States Grocery Co. from Portland, Oreg., and in part on or about April 3, 1937, by the Ray-Maling Co. from Hillsboro, Oreg.; that both shipments had been returned by the consignee on or about April 5 and April 8, 1937, respectively, and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Raycroft Garden Run Sweet Peas [or "Raycroft Sweet Peas"] * * * Distributed by Ray-Maling Company, Inc. Hillsboro, Oregon."

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

On September 9 and September 25, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

27840. Misbranding of butter. U. S. v. Commercial Creamery Co. Plea of nolo contendere. Fine, $50. (F. & D. No. 39493. Sample No. 24093–C.)

This product was short of the declared weight.

On July 8, 1937, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Commercial Creamery Co., a corporation, Spokane, Wash., alleging that on or about November 27, 1936, the defendant sold and delivered to Swift & Co. at Spokane, Wash., a quantity of butter under a guaranty that it was not adulterated or misbranded in violation of the Food and Drugs Act; that on or about December 3, 1936, a portion of the said butter in the identical condition as when it was received, was shipped by Swift & Co. from the State of Washington into the State of Idaho; and charging that it was misbranded in violation of the Food and Drugs Act. The article was labeled in part: (Wrapper) "Swift's Brookfield Butter * * * 1 lb. Net Weight * * * Distributed by Swift & Company * * * Chicago."

It was alleged to be misbranded in that the statement "1 lb. Net Weight" was false and misleading, and was borne on the wrappers so as to deceive and mislead the purchaser since they contained less than 1 pound net weight.

On September 7, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of $50.

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

27841. Adulteration of pecan meats. U. S. v. 8 Cartons of Pecan Halves. Default decree of condemnation and destruction. (F. & D. No. 39565. Sample No. 9579–C.)

This product was in part decomposed and rancid.

On May 5, 1937, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cartons of pecan halves at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about May 16, 1936, by E. M. Zerr & Co. from San Antonio, Tex., to San Francisco, Calif., and had been transhipped to Los Angeles, Calif., 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 decomposed vegetable substance.

On September 11, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27842. Adulteration of raisins. U. S. v. 125 Boxes of Raisins. Default decree of condemnation and destruction. (F. & D. No. 39649. Sample No. 42020–C.)

This product contained evidences of insect and worm infestation.

On May 24, 1937, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 boxes of raisins at Danville, Va. Subsequently an amendment to the libel was filed. It was alleged in the libel as amended that the article had been shipped in interstate commerce on or about October 23, 1936, by the Sunland Sales Cooperative Association, Fresno, Calif., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Cal Ray Three Crown Muscat Layer Raisins, Packed by the El Mar Packing Co., Fresno, Calif."