tomato paste at Erie, Pa., alleging that the article had been shipped in interstate commerce on or about September 11, 1936, by the Gervas Canning Co., from Forestville, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Benito Brand Tomato Paste * * * Packed by Stanley Packing Co., Inc. Forestville, N. Y."

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

On November 12, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26473. Adulteration of chubs. U. S. v. 3 Boxes of Chubs. Default decree of condemnation and destruction. (F. & D. no. 38494. Sample no. 17112–C.)

This case involved a foreign shipment of chubs (fish) that were infested with worms.

On October 23, 1936, 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 boxes of chubs at New York, N. Y., alleging that the article had been shipped in foreign commerce on or about October 20, 1936, by the Main Fish Co., Ltd., from Montreal, Canada, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance and that it consisted of portions of animals unfit for food.

On November 10, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26474. Misbranding of butter. U. S. v. 4 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 38504. Sample no. 13856–C.)

This case involved butter that was short weight.

On October 24, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about October 13, 1936, by the Jerpe Dairy Products Corporation from Fayetteville, Ark., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Retail carton) "Clear Brook Creamery Butter Distributed by Wilson & Co. * * * Chicago, Ill.

The article was alleged to be misbranded in that it was labeled, "Net Weight 1 Pound" on the cartons, "¼ lb. Net Weight" on the parchment wrappers, and "32 lbs. net" on the shipping cases, which statements were false and misleading in that the packages contained less than declared. It was further 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 since the quantity stated on the package was not correct.

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

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

26475. Adulteration of butter. U. S. v. 5 Cans of Butter. Default decree of condemnation and destruction. (F. & D. no. 38536. Sample nos. 16473–C, 16475–C.)

This case involved an interstate shipment of butter that contained mold, maggots, human, cow, and rodent hairs, insects and fragments of insects, and nondescript filth.

On October 31, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five cans of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about October 26, 1936, by Williams & Evans from Flat Cap, Ky., 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, or putrid animal substance.

On December 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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