The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On November 27, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25297. Adulteration and misbranding of macaroni. U. S. v. 27 Cases of Macaroni. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35777. Sample no. 42281–B.)

This case involved a shipment of macaroni which contained soybean flour.

On July 20, 1935, 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 27 cases of macaroni at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about June 6 and 20, 1935, by Lincoln Macaroni Manufacturing Co., from Brooklyn, N. Y., and that the article was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled: "Lincoln Macaroni Made from Pure Semolina 20 Pounds Net Weight Manufactured by Lincoln Macaroni Mfg. Co. Brooklyn, N. Y."

The article was alleged to be adulterated in that an article containing soybean flour had been substituted for macaroni, which the product purported to be.

The article was alleged to be misbranded within section 8 of the act in that the statement on the label, "Macaroni Made from Pure Semolina", was false and misleading and tended to deceive and mislead the purchaser when applied to a product containing soybean flour.

On September 13, 1935, no claimant having appeared, judgment of condemnation was entered ordering the product destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25298. Adulteration of butter. U. S. v. 300 Tubs of Butter. Consent decree of condemnation. Portion of product released; remainder ordered destroyed or denatured. (F. & D. no. 35786. Sample nos. 37328–B, 37329–B.)

This case involved a shipment of butter, samples of which were found to contain filth.

On July 3, 1935, the United States attorney for the Western 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 300 tubs of butter at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about June 20, 1935, by A. F. Thibodeau Co., 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 in whole or in part of a filthy, putrid, or decomposed animal substance.

On November 2, 1935, Thomas B. Archer, trading as the Archer Produce Co., Vinita, Okla., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be examined under the supervision of this Department and the portion containing filth destroyed or denatured and the portion fit for food released.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25299. Misbranding of canned peas. U. S. v. 30 Cases of Canned Peas. Default decree of condemnation and destruction. (F. & D. no. 35793. Sample no. 38966–B.)

This case involved a shipment of canned peas which were substandard and which were not labeled to indicate that fact.

On July 26, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 cases of canned peas at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 12 and January 17, 1935, by the Lange Canning Co., from Eau Claire, Wis., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Truax Brand Early June Peas * * * Packed by Lange Canning Co., Eau Claire, Wisconsin."

The article was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture because the peas were not immature, and its package or