court a libel praying seizure and condemnation of three cans of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce, on or about September 21, 1934, by George H. Hatfield, from Sneedville, Tenn., 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 November 3, 1934, 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.*

23332. Adulteration of butter. U. S. v. 2 Cans of Butter. Default decree of condemnation and destruction. (F. & D. no. 33671. Sample no. 4885–B.)

This case involved a shipment of butter, samples of which were found to contain parts of insects, animal hairs, maggots, paper, mold, and other filth.

On September 24, 1934, 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 two cans of butter at Baltimore, Md., alleging that the article had been shipped in interstate commerce, on or about September 20, 1934, by J. E. Smith, from King, N. C., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "J. E. Smith, King, N. C."

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 November 3, 1934, 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.*

23333. Adulteration and misbranding of butter. U. S. v. 7 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 33672. Sample no. 11359–B.)

This case involved a shipment of butter that was low in milk fat, and that was short weight and decomposed.

On September 24, 1934, 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 seven cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce, on or about September 15, 1934, by the Jerpe Dairy Products Corporation, from Fayetteville, Ark., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Wrapper) "Country Roll Butter * * * Wilson & Co. Distributors General Offices Chicago, Ill., U. S. A. 1 Lb. Net Weight."

The article was alleged to be adulterated in that a product containing 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 provided by the act of Congress of March 4, 1923. Adulteration was alleged for the further reason that the article consisted in whole or in part of a decomposed animal substance.

Misbranding was alleged for the reason that the statement "Butter", on the label, was false and misleading; and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On October 16, 1934, 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.*

23334. Adulteration and misbranding of beef and bone scrap, and fish meal. U. S. v. 30 Bags of Beef and Bone Scrap, et al. Default decrees of condemnation and destruction. (F. & D. nos. 33674, 34103, 34191. Sample nos. 8332–B, 8333–B, 8335–B, 8336–B.)

These cases involved interstate shipments of 2 lots of beef and bone scrap and 1 lot of fish meal. Examination showed that both products contained less protein than declared on the label, that 1 lot of beef and bone scrap contained

more salt than is found in meat and bone scrap, and that the fish meal contained cut hulled barley.

On or about October 11, 18, and 26, 1934, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 60 sacks of beef and bone scrap at Maugansville, Md., and 99 bags of beef and bone scrap and 40 bags of fish meal at Berlin, Md., alleging that the articles had been shipped in interstate commerce between the dates of August 15 and October 5, 1934, by the Consolidated By-Product Co., from Philadelphia, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Consolidated Beef & Bone Scrap * * * Guaranteed Analysis Protein 55% [or "50%" or "45%"]. Consolidated Fish Meal. Guaranteed Analysis Protein 55% Min."

A portion of the beef and bone scrap was alleged to be adulterated in that a substance containing excessive salt had been substituted for beef and bone scrap. Adulteration of the fish meal was alleged for the reason that cut hulled barley had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted in part for the article.

Misbranding of both products was alleged for the reason that the statements, "Guaranteed Analysis protein 55%" or "50%" or "45%", with respect to the beef and bone scrap, and "Guaranteed Analysis Protein 55% Min." with respect to the fish meal were false and misleading and tended to deceive and mislead the purchaser, since they contained less protein than declared. Misbranding was alleged with respect to the fish meal and a portion of the beef and bone scrap for the further reason that the statements "Fish Meal" and "Beef and Bone Scrap" borne on the labels were false and misleading and tended to deceive and mislead the purchaser, since the fish meal contained a substance other than fish meal and one shipment of the beef and bone scrap contained considerably more salt than is normally found in meat and bone scrap.

On November 15 and December 3, 1934, no claimant having appeared, judgments of condemnation were entered, and it was ordered that the products be destroyed.

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

23335. Adulteration of canned shrimp. U. S. v. 700 Cases, et al., of Canned Shrimp. Consent decrees of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. nos. 33679, 33680, 33696. Sample nos. 14957–B, 14958–B, 14992–B.)

These cases involved shipments of canned shrimp that was found to be in part decomposed.

On October 10 and 15, 1934, the United States attorney for the Western District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,284 cases of canned shrimp at Buffalo, N. Y., and 900 cases of canned shrimp at Rochester, N. Y., alleging that the article had been shipped in interstate commerce on August 25 and September 12, 1934, in part by the Southern Shell Fish Co., from New Orleans and Harvey, La., and in part by the Wesson Oil & Snowdrift Sales Co., from Harvey, La., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Palm Brand Shrimp * * * distributed by Southern Shell Fish Co., Inc., Harvey, La." The remainder was labeled: "Blue Plate Shor-Pak Shrimp * * * distributed by Wesson Oil and Snowdrift Sales Company."

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

On October 23 and November 7, 1934, the Southern Shell Fish Co. and the Wesson Oil & Snowdrift Sales Co. appeared as claimants, and consented to the entry of decrees and also consented to the destruction of those portions of the product found to be bad. On October 23 and November 7, 1934, judgments of condemnation were entered and it was ordered that the product be delivered to the claimants under bond, conditioned according to law and that only those portions found fit and wholesome be released for sale and consumption as food.

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