(Flavored) Nut Krunchets * * * Gro-Best Products Co., Inc., New York, N. Y."

One lot was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

The article was alleged to be misbranded in that it was labeled so as to deceive or mislead the purchaser, since the prominent statement on the box and the dealer display card, "Almond Nut Krunchets," implied to the purchaser that it consisted of almonds; whereas it consisted of peanuts.

On May 16 and June 8, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29106. Adulteration of candy. U. S. v. 14 Boxes of Candy (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 41593, 41594, 41986. Sample Nos. 472–D, 475–D, 14969–D.)

Samples of this product were found to contain rodent hair and excreta and other filth.

On February 4 and March 17, 1938, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the district court 3 libels praying seizure and condemnation of 51 boxes of candy at Portland and Salem, Oreg.; alleging that the article had been shipped in interstate commerce on or about November 15 and 22, and December 18, 1937, from Hammond, Ind., by the Queen Anne Candy Co.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Queen Anne Candy Co. * * * Special * * * Hammond, Indiana."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On May 23, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29107. Adulteration and misbranding of preserves. U. S. v. 20 Cases of Preserves. Default decree of condemnation and destruction. (F. & D. No. 36889. Sample Nos. 44126–B to 44129–B, incl.)

These products were deficient in fruit and contained added acid, pectin, and water.

On December 27, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cases of preserves at Fall River, Mass.; alleging that the articles had been shipped in interstate commerce on or about October 4, 1935, from Brooklyn, N. Y., by the National Kream Co., Inc.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Gold Value Preserves Pure Strawberry [or "Raspberry" or "Loganberry"] * * * National Kream Co., Inc., New York."

Adulteration was alleged in that mixtures of sugar, acid, pectin, and water had been mixed and packed with the articles so as to reduce, lower, or injuriously affect their quality; in that mixtures of fruit, sugar, acid, pectin, and water containing less fruit than preserves, had been substituted for preserves; and in that they were mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in that the statements on the label, "Preserves Pure Strawberry [or "Raspberry" or "Loganberry"]," as the case may have been, were false and misleading and tended to deceive and mislead the purchaser when applied to products resembling preserves, but which contained less fruit than preserves; and in that they were imitations of and were offered for sale under the distinctive names of other articles.

On May 23, 1938, the National Kream Co., Inc., Brooklyn, N. Y., having appeared as claimant and having denied the allegations of the libel, but having failed to appear when the case was called for trial, judgment of condemnation was entered and the products were ordered destroyed.

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

29108. Adulteration and misbranding of tomato puree. U. S. v. Saukville Canning Co. Plea of nolo contendere. Fine, $50. (F. & D. No. 38584. Sample No. 63476–B.)

This product was deficient in tomato solids and contained excessive mold.

On June 21, 1937, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the