

Ozs. * * * Full Strength", or "Contents 1 Pt. 8 Ozs. * * * Full W'G'T. Guaranteed * * * reduced to 4%." The article in the 1½-pint bottles was alleged further 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 packages since the quantity stated was not correct.

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

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

26345. Adulteration of yeast. U. S. v. 40 Cases, Each Containing 50 Bricks of Yeast. Default decree of destruction. (F. & D. no. 87818. Sample no. 68761-B.)

This case involved yeast that was moldy, dirty, and contaminated with wild yeasts.

On June 16, 1936, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 cases, each containing 50 bricks of yeast, at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about May 20, 1936, by Food Distributing, from Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "A1 Wt 52# * * * W. Meyers * * * Chicago, Illinois, * * * To Chas. Stodsky % U. S. Cold Storage, Kansas City, Missouri."

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

On July 21, 1936, no claimant having appeared and the court having found the said article adulterated, judgment was entered ordering that it be destroyed.

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

26346. Misbranding of dog and cat food. U. S. v. 30 Cases of Dog and Cat Food. Default decree of condemnation and destruction. (F. & D. no. 37826. Sample no. 50002-B.)

This product was represented to contain 9.55 percent of protein, 2.10 percent of fat, and not more than 0.63 percent of crude fiber. It contained less protein and fat and more crude fiber than so represented, a sample having been found to contain 6.50 percent of protein, 1.35 percent of fat, and 1.76 percent of crude fiber.

On or about June 23, 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 30 cases of dog and cat food at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about May 27, 1936, by the Atlas Canning Co., Inc., from Glendale, Long Island, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Satin Quality Dog & Cat Food * * * Maryland Grocery Co. Baltimore, Md. Distributors."

The article was alleged to be misbranded in that the statements, "Protein 9.55 Min. Fat 2.10 Min. Crude Fibre 0.63 Max.", borne on the label, were false and misleading and tended to deceive and mislead the purchaser.

On November 20, 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.*

26347. Misbranding of preserves, jam, and marmalade. U. S. v. 100 Cases of Preserves, Jam, and Marmalade. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 87827. Sample no. 71162-B.)

This case involved miscellaneous preserves, jam, and marmalade that were short in weight.

On July 2, 1936, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 cases of miscellaneous preserves, jam, and marmalade, at Reno, Nev., alleging that the articles had been shipped in interstate commerce on or about April 30, 1936, by the Tea Garden Products Co., from San Francisco, Calif., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Tea Garden Strawberry Preserves [etc.] Tea Garden Products Co., San Francisco, Portland, Seattle, Net Weight 2 Lbs. 3 Ozs."