

district court a libel praying seizure and condemnation of 12 10-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 6, 1937, in various lots from Phillipi, W. Va., by Kermit Haller; from Berkeley Springs, W. Va., by R. S. Unger; from Romney, W. Va., by B. M. Grim; from Charles Town, W. Va., by M. K. Bowers; from Strasburg, Va., by Walter Johnson; from Weston, W. Va., by Magnus C. White; and from Ellenboro, W. Va., by E. Paige Hickman, 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 August 7, 1937, the consignee having consented to the entry of a decree, the product was ordered destroyed immediately in view of its perishable nature.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28670. Adulteration of butter. U. S. v. 34 Tubs of Butter. Consent decree of condemnation. Product released under bond for reworking.** (F. & D. No. 40672. Sample Nos. 56816-C, 57105-C.)

This product contained less than 80 percent of milk fat.

On October 26, 1937, 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 34 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 15, 1937, from Baltimore, Md., by Chesapeake Creameries, Inc., and charging adulteration in violation of the Food and Drugs Act.

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 March 4, 1923.

On October 28, 1937, Chesapeake Creameries, Inc., Baltimore, Md., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28671. Adulteration of candy. U. S. v. 39 Cartons and 35 Cartons of Candy. Default decree of condemnation. Product destroyed.** (F. & D. Nos. 40723, 40724. Sample Nos. 61161-C, 61162-C.)

Samples of this product were found to be insect-infested; others contained rodent hair, excreta, and nondescript dirt.

On November 23, 1937, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 74 cartons of candy at Meridian, Miss., alleging that the article had been shipped in interstate commerce in part on or about September 10, 1937, and in part on or about September 21, 1937, by the Specialty Candy Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Peco Nut Squares [or "Jumbo Mint Lumps"] Manufactured by Specialty Candy Co., Inc., New Orleans, La."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance rendering it unfit for consumption as a food.

On March 30, 1938, no claimant having appeared, judgment of condemnation was entered and the product was destroyed by the United States marshal.

W. R. GREGG, *Acting Secretary of Agriculture.*

**28672. Adulteration and misbranding of Glycocon. U. S. v. 1 Drum containing 400 Pounds of Glycocon 2A (and 5 other seizure actions against similar products). Default decrees of condemnation and destruction.** (F. & D. Nos. 40963, 41066, 41212, 41283, 41310, 41524. Sample Nos. 28446-C, 44290-C, 44291-C, 48092-C, 56737-C, 58062-C, 7990-D.)

These cases involved six lots of solvents of which five consisted entirely of a glycol or a glycol ether, a poison; and one which contained about 35 percent of a glycol, a poison.

On November 30, 1937, 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 1 drum of Glycocon 2A at Baltimore, Md. On various dates between December 10, 1937, and January 22, 1938, libels were filed against 34 pounds of Glycocon S at Erie, Pa.; 3 gal-