

On September 23 and October 17, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29457. Adulteration of candy. U. S. v. 10 Cartons and 12 Cartons of Candy. Default decrees of condemnation and destruction. (F. & D. Nos. 43248, 43595. Sample Nos. 23958-D, 37834-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On August 9 and September 6, 1938, the United States attorneys for the Northern District of Alabama and the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 10 cartons of candy at Birmingham, Ala., and 12 cartons of candy at Houston, Tex.; alleging that the article had been shipped by Mason Au & Magenheimer Confectionery Manufacturing Co. from Brooklyn, N. Y., the former on or about October 27, 1937, and the latter on or about January 8, 1938; and charging adulteration in violation of the Food and Drugs Act.

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

On September 12 and October 17, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29458. Adulteration of candy. U. S. v. 47 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43223. Sample No. 37921-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On August 5, 1938, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 47 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in interstate commerce on or about February 3, 1938, by Illinois Nut Products 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 wholly or in part of a filthy vegetable substance.

On September 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29459. Adulteration of candy. U. S. v. 28 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43224. Sample No. 37922-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On August 5, 1938, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 28 cartons of candy at Birmingham, Ala.; alleging that the article had been shipped in interstate commerce on or about February 3, 1938, by the D. L. Clark Co. from Pittsburgh, Pa.; and charging adulteration in violation of the Food and Drugs Act.

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

On September 8, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29460. Adulteration and misbranding of candy. U. S. v. 9 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43454. Sample No. 23929-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package, was at the time of examination found to be insect-infested. Moreover, its label failed to bear a statement of the quantity of contents.

On or about August 23, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 11, 1938, by Hewett & Eckel from Durant, Okla.; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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

It was alleged 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 package.

On or about October 1, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29461. Adulteration of candy. U. S. v. 16 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 43547. Sample No. 23938-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested.

On September 1, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 cartons of candy at Houston, Tex.; alleging that the article had been shipped in interstate commerce on or about February 7, 1938, by Fenn Bros., Inc., from Sioux Falls, S. Dak.; and charging adulteration in violation of the Food and Drugs Act.

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

On or about October 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29462. Adulteration of candy. U. S. v. 2 Cases of Candy. Default decree of condemnation and destruction. (F. & D. No. 43845. Sample No. 30150-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested, stale, and to have a musty or rancid odor.

On September 10, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two cases of candy at Philadelphia, Pa., consigned by West Bros., Miami, Fla.; alleging that the article had been shipped in interstate commerce on or about September 1, 1938, by West Bros. from Miami, Fla.; and charging adulteration in violation of the Food and Drugs Act.

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

On October 3, 1938 no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29463. Adulteration of candy. U. S. v. 4 Cases of Candy. Default decree of condemnation and destruction. (F. & D. No. 43844. Sample No. 30149-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original package was, at the time of examination, found to be insect-infested, stale, and to have a musty or rancid odor.

On September 10, 1938, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of four cases of candy at Philadelphia, Pa., consigned by the Eli Witt Cigar Co., Miami, Fla.; alleging that the article had been shipped in interstate commerce on or about September 1, 1938, from Miami, Fla.; and charging adulteration in violation of the Food and Drugs Act.

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