

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

On October 7, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29595. Adulteration of butter. U. S. v. Edward R. Jolly (McAlester Ice Cream Co.). Plea of guilty. Fine, \$50. (F. & D. No. 39800. Sample Nos. 49318-C, 49408-C.)

This product contained less than 80 percent of milk fat.

On November 23, 1937, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Edward R. Jolly, trading as the McAlester Ice Cream Co., McAlester, Okla., alleging shipment by said defendant in violation of the Food and Drugs Act on or about June 7 and June 16, 1937, from the State of Oklahoma into the State of Illinois, of quantities of butter which was adulterated.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, which should contain not less than 80 percent by weight of milk fat as prescribed by act of March 4, 1923, which it purported to be.

On August 22, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

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

29596. Adulteration of candy. U. S. v. 11 Cartons of Coconut Marshmallow Candy. Default decree of condemnation and destruction. (F. & D. No. 43488. Sample No. 38103-D.)

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

On August 26, 1938, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 11 cartons of candy at Mobile, Ala.; alleging that the article had been shipped on or about April 25, 1938, by York Cone Co. from York, Pa.; and charging adulteration in violation of the Food and Drugs Act.

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

On October 7, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29597. Adulteration of butter. U. S. v. 26 Cubes of Butter. Decree of condemnation. Product released under bond. (F. & D. No. 43292. Sample No. 18342-D.)

This product contained less than 80 percent by weight of milk fat.

On July 29, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 cubes of butter at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about June 23, 1938, by the Columbia Produce Co. from Portland, Oreg.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged 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.

On August 9, 1938, Bennett & Layton, Inc., San Francisco, Calif., having appeared as claimant, a judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be brought up to the legal standard under the supervision of this Department.

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

29598. Adulteration of canned tomatoes. U. S. v. 199 Cases of Canned Tomatoes. Default decree of condemnation and destruction. (F. & D. No. 43314. Sample No. 35300-D.)

This product was found to be in whole or in part decomposed.

On August 18, 1938, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the