

of business at Muskogee, Okla., alleging shipment by said defendant on or about May 7, 19, and 30, 1938, from the State of Oklahoma into the States of New York and Illinois, of quantities of butter which was adulterated in violation of the Food and Drugs Act.

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, a product which should contain not less than 80 percent by weight of milk fat, as prescribed by act of March 4, 1923.

On April 6, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200.

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

30477. Adulteration of cake flour. U. S. v. 45 Bags of Cake Flour. Default decree of condemnation and destruction. (F. & D. No. 45106. Sample No. 43929-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to contain rodent excreta.

On March 27, 1939, 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 45 bags of cake flour at San Francisco, Calif.; alleging that the article had been shipped on or about February 3, 1939, by Wasco Warehouse & Milling Co. from Portland, Oreg.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Bleached Queen of Cake Flour Manufactured for Curry Flour Co. San Francisco, Calif."

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

On April 27, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30478. Adulteration of candy. U. S. v. 72 Boxes and 39 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. Nos. 44015, 44016. Sample Nos. 49765-D, 49766-D.)

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

On October 28, 1938, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 boxes and 39 cartons of candy at Greenwood, Miss.; alleging that the article had been shipped in part on or about March 15 and in part on or about June 7, 1938, by Curtiss Candy Co. from Chicago, Ill.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Baby Ruth" or "12 Baby Ruth Fruit Drops with 100 Curtiss Butterfinger."

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

On January 26, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30479. Adulteration and misbranding of frozen fish. U. S. v. 48 Boxes of Fresh Fillets. Default decree of condemnation and destruction. (F. & D. No. 45197. Sample No. 51420-D.)

This product was adulterated because it was infested with parasitic worms. It also was misbranded because it was represented to be fresh fish, whereas it was frozen fish.

On April 13, 1939, 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 48 boxes of perch fillets at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about April 8, 1939, by Cape Fish Co. from Boston, Mass.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Wrapper) "Deep Water Brand Fresh Fillets."

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