

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

On June 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered converted into fertilizer.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30689. Adulteration of frozen fillets. U. S. v. 30 Boxes of Redfish Fillets. Default decree of condemnation. Product ordered converted into fertilizer. (F. & D. No. 45040. Sample No. 54371-D.)

This product contained parasitic worms.

On March 23, 1939, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 boxes of redfish fillets at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about March 6, 1939, by Busalacchi Bros. from Boston, Mass.; 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 animal substance.

On May 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered converted into fertilizer.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30690. Adulteration and misbranding of canned crushed grapefruit. U. S. v. 64 Cases of Crushed Grapefruit. Default decree of condemnation. Product ordered destroyed or delivered to a public charitable institution. (F. & D. No. 44928. Sample No. 26819-D.)

This product was a mixture of grapefruit pomace (the residue after removing the juice in whole or in part) and added sugar.

On March 3, 1939, the United States attorney for the Northern 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 64 cases of canned crushed grapefruit at Syracuse, N. Y.; alleging that the article had been shipped in interstate commerce on or about January 16, 1939, from Brownsville, Tex., by Engelmen Gardens Association; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Engelmen Gardens Brand Crushed Grapefruit."

It was alleged to be adulterated in that a mixture of grapefruit pomace and sugar had been substituted in whole or in part for crushed grapefruit, which it purported to be; and in that a valuable constituent—juice—had been wholly or in part abstracted; and in that it was mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in that the statements "Crushed Grapefruit" and "grapefruit," wherever they appeared on the can label, case label, and in the circular, were false and misleading and tended to deceive and mislead the purchaser when applied to an article that was a mixture of grapefruit pomace and added sugar.

On June 6, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to a public charitable institution, for use and consumption only in such institution.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30691. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 45497. Sample No. 26875-D.)

This product contained less than 80 percent of milk fat.

On June 12, 1939, 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 11 tubs of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 3, 1939, from Alta Vista, Iowa, by Alta Vista Farmers Mutual Creamery Association; 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.

On June 20, 1939, Alta Vista Farmers Mutual Creamery Association, claimant, having admitted the allegations of the libel, 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.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30692. Adulteration of flour. U. S. v. 175 Bags and 175 Bags of Flour. Consent decree of condemnation. Product ordered released under bond to be denatured. (F. & D. No. 43830. Sample Nos. 26143-D, 26144-D.)

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

On September 14, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 350 bags of flour at Port Newark, N. J.; alleging that the article had been shipped on or about July 7, 1938, from Forth Worth, Tex., by Burrus Mill & Elevator Co.; 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 vegetable substance.

On June 21, 1939, Burrus Mill & Elevator Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be denatured under the supervision of this Department and used for animal feed or for the manufacture of paste.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30693. Adulteration of butter. U. S. v. 33 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond for reworking. (F. & D. No. 45485. Sample No. 26869-D.)

This product contained less than 80 percent of milk fat.

On May 29, 1939, 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 33 tubs of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about May 20, 1939, from Chicago, Ill., by Universal Carloading & Distributing Co.; and charging adulteration in violation of the Food and Drugs Act. The article was produced by Pierce Farmers' Creamery, Pierce, Nebr.

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.

On June 16, 1939, Herold Gearon Co., Inc., New York, N. Y., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the tubs containing butter deficient in milk fat be reworked so that it contain not less than 80 percent of milk fat.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30694. Adulteration of frozen fillets. U. S. v. 20 Boxes and 290 Boxes of Perch Fillets. Default decrees of condemnation. Product ordered converted into fertilizer. (F. & D. Nos. 44866, 45062. Sample Nos. 32385-D, 54375-D.)

This product contained parasitic worms.

On February 24 and March 23, 1939, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 310 boxes of perch fillets at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about January 12 and March 4, 1939, in part from Provincetown, Mass., and in part from Boston, Mass., by Atlantic Coast Fisheries; 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 animal substance.

On April 24 and May 12, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered converted into fertilizer.

HARRY L. BROWN, *Acting Secretary of Agriculture.*