

On August 31, 1939, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rawley Fish Co., a corporation, Two Rivers, Wis., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 15 and 18, 1939, from the State of Wisconsin into the State of New York, of quantities of fish roe which was adulterated.

One shipment was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance, namely, fish roe containing parasitic worms, fish scales, and nondescript tissue fragments, and in that it consisted of portions of an animal unfit for food, namely, fish scales. The remaining shipment was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance, namely, fish roe containing parasitic worms.

On September 22, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$75.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30936. Adulteration of butter. U. S. v. Farmers Union Cooperative Creamery Co., Inc. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 42765. Sample No. 54181-D.)

Examination of samples of this product showed a deficiency in milk fat.

On October 2, 1939, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Farmers Union Cooperative Creamery Co., Inc., Aurora, Nebr., alleging shipment by it in violation of the Food and Drugs Act on or about August 1, 1938, from Aurora, Nebr., into the State of Illinois of a quantity of butter which was adulterated.

The product was alleged to be adulterated in that a substance 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 by weight of milk fat, as prescribed by the act of March 4, 1923.

On October 28, 1939, a plea of guilty was entered and the court imposed a fine of \$50 and costs.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30937. Adulteration of frozen fish. U. S. v. 209 Cartons of Birdseye Red Perch Fillets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 45364. Sample No. 65223-D.)

This product was shipped in interstate commerce, and at the time of sampling was in the original packages. Examination showed the presence of decomposed fish.

On May 19, 1939, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against 209 cartons of Birdseye Red Perch Fillets at Indianapolis, Ind.; alleging that the article had been shipped on or about April 29, 1939, by Frosted Foods Sales Corporation from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act.

The product was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On November 7, 1939, no claimant having appeared, a decree of condemnation, forfeiture, and destruction was entered.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30938. Adulteration of butter. U. S. v. Mandan Creamery & Produce Co. Plea of guilty. Fine, \$20. (F. & D. No. 42642. Sample Nos. 56989-C, 35340-D, 35341-D.)

This product was found upon examination to contain less than 80 percent by weight of milk fat.

On March 1, 1939, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Mandan Creamery & Produce Co., a corporation, Mandan, N. Dak., alleging shipments by it in violation of the Food and Drugs Act, on or about September 27, 1937, and August 3, 1938, from the State of North Dakota into the States of New York and Massachusetts of quantities of butter that was adulterated.

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 by weight of milk fat, as prescribed by the act of March 4, 1923.

On October 21, 1939, a plea of guilty having been entered, the court assessed a fine of \$20.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30939. Adulteration of frozen fish. U. S. v. 200 Cartons of Perch Fillets. Default decree of condemnation and destruction. (F. & D. No. 45521. Sample No. 55226-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 in whole or in part decomposed.

On June 26, 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 200 cartons of perch fillets at Chicago, Ill.; alleging that the article had been shipped on or about June 8, 1939, by Feylers, Inc., from Rockland, Maine; and charging adulteration in violation of the Federal Food and Drugs Act.

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

On September 2, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of by conversion into fertilizer.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30940. Adulteration of flour. U. S. v. 40 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. No. 45510. Sample No. 62429-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 June 19, 1939, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 sacks of flour at New Orleans, La.; alleging that the article had been shipped on or about April 26, 1939, by G. B. R. Smith Milling Co. from Sherman, Tex.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Eagle Hard Wheat Flour."

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

On July 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30941. Adulteration of flour. U. S. v. 29 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. No. 45509. Sample No. 62950-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 June 19, 1939, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 sacks of flour at New Orleans, La.; alleging that the article had been shipped on or about April 13, 1939, by the New Era Milling Co. from Arkansas City, Kans.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Belflour It is Better Kansas Blended Flour."

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

On July 21, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30942. Adulteration of frozen rock lobster tails. U. S. v. 870 Boxes and 230 Boxes of Cape Rock Lobster and 100 Boxes of Captail Brand Tails. Consent decree of condemnation and destruction. (F. & D. No. 44828. Sample Nos. 8152-D, 8153-D, 8154-D.)

This product had been shipped in interstate commerce and remained unsold in the original packages. At the time of examination it was found to be in whole or in part decomposed.