28892. Misbranding of canned salmon. U. S. v. 24 Cartons of Canned Salmon. Default decree of condemnation and destruction. (F. & D. No. 41685. Sample No. 15144–D.)

Samples of this product were found to be pale and water-marked, and in addition were either soft or poorly filled.

On February 14, 1938, the United States attorney for the District of Idaho acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cartons of canned salmon at Twin Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about September 13, 1937, by the Washington Fish & Oyster Co. from Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sea Cap Brand Selected Pink Salmon * * * Packed for Fine Foods Inc. Seattle Minneapolis."

It was alleged to be misbranded in that the statement "Selected Pink Salmon" was false and misleading and tended to deceive and mislead the purchaser when applied to pink salmon of poor quality.

On April 2, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28893. Adulteration of prunes. U. S. v. 318 Bags, 328 Bags, and 407 Bags of Dried Prunes. Default decree of condemnation and destruction. (F. & D. Nos. 41820, 41821, 41822. Sample Nos. 2761–D, 2974–D, 2975–D.)

This product was insect-infested, moldy, and dirty.

On February 26 and February 28, 1938, the United States attorneys for the Southern and Eastern Districts of New York, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 1,053 bags of prunes in various lots at New York and Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about February 3 and 26, 1938, by the Pacific Prune Products Association from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "For Manufacturing Purposes Only."

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

On March 17 and 31, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

28894. Adulteration of butter. U. S. v. Harding Cream Co. Plea of guilty. Fine, $40 and costs. (F. & D. No. 40798. Sample Nos. 54761–C, 54769–C.)

This product contained less than 80 percent of milk fat.

On April 14, 1938, 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 the Harding Cream Co., a corporation, alleging shipment by said defendant in violation of the Food and Drugs Act on or about September 23 and 30, 1937, from the State of Nebraska into the State of Massachusetts 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, a product which should contain not less than 80 percent of milk fat as prescribed by the act of March 4, 1923.

On April 20, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $40 and costs.

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

28895. Adulteration of butter. U. S. v. Spring Valley Butter Co. Plea of nolo contendere. Fine, $50. (F. & D. No. 40802. Sample Nos. 34071–C, 37686–C.)

This product contained less than 80 percent of milk fat.

On April 21, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Spring Valley Butter Co., a corporation, Kansas City, Mo., alleging shipment by said defendant in violation of the Food and Drugs Act on or about July 20 and 22, 1937, from the State of Missouri into the States of Illinois and New Jersey 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, a