

interstate commerce on or about October 4, 1937, from Portland, Oreg., by Terminal Ice & Cold Storage 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 decomposed vegetable substance.

On November 30, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**28226. Adulteration of canned cherries. U. S. v. 72 Cases of Cherries. Consent decree of condemnation and destruction.** (F. & D. No. 40476. Sample No. 49513-C.)

This product was infested with maggots.

On October 13, 1937, 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 72 cases of canned cherries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 10, 1937, from Salem, Oreg., by Oregon Fruit Products Co., 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 vegetable substance.

On November 20, 1937, Salem Cherry Growers Association, Salem, Oreg., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

**28227. Adulteration of candy. U. S. v. 19 Boxes and 24 Boxes of Candy. Default decree of condemnation and destruction.** (F. & D. Nos. 40520, 40521. Sample Nos. 61108-C, 61112-C.)

These products were insect-infested.

On October 19, 1937, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 43 boxes of candy at Birmingham, Ala., alleging that the articles had been shipped in interstate commerce, in part on or about August 23, 1937, from New Orleans, La., by the Joan Candy Co., and in part on or about August 27, 1937, from Meridian, Miss., by the Rogers Candy Co., and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part respectively: "1c Cream Cones Joan Candy Co. New Orleans, La."; "Rogers Jumbo Brand Peanut and Cocoanut Bars \* \* \* Rogers Candy Company \* \* \* Meridian."

They were alleged to be adulterated in that they consisted wholly or in part of filthy vegetable substances.

On November 26, 1937, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

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

**28228. Adulteration of butter. U. S. v. 18 Cubes and 20 Cubes of Butter. Consent decree of condemnation. Product released under bond for reworking.** (F. & D. Nos. 40550, 40552. Sample Nos. 54761-C, 54769-C.)

This product contained less than 80 percent of milk fat.

On October 4 and 8, 1937, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 38 cubes of butter at Springfield, Mass., shipped on or about September 21 and 30, 1937, alleging that the article had been shipped in interstate commerce from Omaha, Nebr., by the Harding Cream Co., 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, which the article purported to be—the act of March 4, 1923, providing that butter shall contain not less than 80 percent by weight of milk fat.

On November 1, 1937, the Harding Cream Co., Omaha, Nebr., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under cash bond conditioned that it be reworked to contain at least 80 percent by weight of milk fat.

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