

28258. Adulteration of pickle spice. U. S. v. 11½ Cases of Pickle Spice (and three other seizures of the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 40527, 40528, 40632, 41006. Sample Nos. 36234-C, 50899-C, 51852-C, 63415-C.)

This product was insect-infested and a portion was dirty.

On October 20, 29, and December 4, 1937, the United States attorneys for the Western district of Washington and the District of Idaho, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 47½ cases and 119 packages of pickle spice in various lots at Bellingham, Seattle, and Everett, Wash., and 45 cases of pickle spice at Lewiston, Idaho, alleging that the article had been shipped in part by Wood & Selick, Inc., from New York, N. Y., into the State of Washington on or about May 28 and June 11, 1935, and in part for Allen & Henderson, Inc., sales agents for Wood & Selick, Inc., from Seattle, Wash., into the State of Idaho on or about August 3, 1937, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Favorite Brand Pickle Spice * * * Wood & Selick, Inc., New York, N. Y."

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

On November 30 and December 21, 1937, and January 7, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

28259. Adulteration of butter. U. S. v. 29 Tubs and 51 Tubs of Butter. Consent decrees of condemnation. Product released under bond for reworking. (F. & D. Nos. 49671, 40683. Sample Nos. 56315-C, 57106-C, 57139-C.)

This product contained less than 80 percent of milk fat.

On October 26 and 29, 1937, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 80 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 12 and 13, 1937, from Baltimore, Md., by Chesapeake Creameries, Inc., 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, as provided by the act of March 4, 1923.

On November 3 and 4, 1937, Chesapeake Creameries, Inc., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered, and the product was ordered released under bond conditioned that it be reworked to contain at least 80 percent of milk fat.

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

28260. Adulteration of walnut meats. U. S. v. 10 Cartons of Walnut Meats (and six other seizures of the same product). Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond. (F. & D. Nos. 40390, 40391, 40439, 40448, 40449, 40484, 40510, 40518, 40519. Sample Nos. 51210-C, 51211-C, 51221-C, 60630-C, 60703-C to 60707-C, incl.)

Samples of this product were found to be wormy, moldy, rancid, insect-infested, and decomposed.

On September 30 and October 7, 1937, the United States attorney for the District of Oregon, and on October 11, 15, 18, and 20, 1937, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 76 cartons of walnut meats at Portland, Oreg., and 74 cartons of walnut meats at Denver, Colo., portions of which were consigned by Morris Rosenberg and the remainder in the name of the Terminal Refrigeration Co., alleging that the article had been shipped in interstate commerce, between the dates of July 24 and September 27, 1937, in part from Los Angeles, Calif., and in part from Wilmington, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Walnut Mts. * * * Morris Rosenberg Los Angeles."

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