

peanuts at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about February 22, 1938, by the Bain Peanut Co., of Albany, Ga., from Savannah, Ga.; 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 May 16, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29091. Adulteration of butter. U. S. v. 19 Tubs, 5 Tubs, and 3 Tubs of Butter. Consolidated decree of condemnation. Product released under bond to be reworked. (F. & D. Nos. 42488, 42489, 42490. Sample Nos. 21747-D, 21751-D, 21752-D.)

This product contained less than 80 percent of milk fat.

On May 12, 1938, 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 27 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce in part on or about April 22 and 29 and May 2, 1938, by Merchants Dairy Co., from Desloge, Mo.; 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 act of March 4, 1923.

On May 23, 1938, the cases having been consolidated and D. J. Coyne & Co., Chicago, claimant, having admitted the allegations of the libels and having consented to the entry of a decree, judgment of condemnation was entered (under a consolidated decree), and the product was ordered released under bond conditioned that it be reworked to the legal standard.

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

29092. Adulteration of fresh spinach. U. S. v. 239 Baskets of Fresh Spinach. Default decree of condemnation and destruction. (F. & D. No. 42111. Sample No. 17075-D.)

This product was heavily infested with aphids.

On April 2, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 239 baskets of spinach at Baltimore, Md.; alleging that the article had been shipped in interstate commerce on or about March 30, 1938, from Norfolk, Va., by Young Old; 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 May 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29093. Adulteration of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 42491. Sample No. 21755-D.)

This product was deficient in milk fat.

On May 12, 1938, 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 12 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about May 3, 1938, by the Craig County Milk Producers Cooperative Association from Vinita, Okla.; 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 act of March 4, 1923.

On May 20, 1938, the Peter Fox Sons Co., Chicago, Ill., 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 released under bond to be reworked to the legal standard.

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