

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 July 29, 1938, Land O'Lakes Creamery, Inc., Minneapolis, Minn., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked under the supervision of this Department.

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

29493. Adulteration of blueberries. U. S. v. 2 Crates and 1 Crate of Blueberries. Default decree of condemnation and destruction. (F. & D. No. 43506. Sample No. 26538-D.)

This product was infested with maggots.

On August 17, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three crates of blueberries at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about August 14, 1938, by J. J. Gulick from Shenandoah, Pa.; 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, decomposed, and putrid vegetable substance.

On September 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29494. Adulteration of peanuts. U. S. v. 120 Bags of Peanuts. Default decree of condemnation and destruction. (F. & D. No. 43277. Sample No. 9214-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infested, shriveled, moldy, rancid, and dirty.

On or about August 10, 1938, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 bags of peanuts at Houston, Tex.; alleging that the article had been shipped on or about July 5, 1938, by the Alabama Gin & Peanut Co. from Samson, Ala.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On September 14, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29495. Adulteration and misbranding of noodles. U. S. v. 20 Cases of Noodles. Default decree of condemnation and destruction. (F. & D. No. 43190. Sample No. 23069-D.)

This product having been shipped in interstate commerce and remaining unsold and in the original unbroken packages, was found at the time of examination to be deficient in egg, to contain added coal-tar color, and to be short weight.

On August 3, 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 20 cases of noodles at Lewiston, Idaho; alleging that the article had been shipped by the Coast Food Products, Inc., from Seattle, Wash., on or about May 9, 1938; and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Oriental Maid Coast Food Products Seattle Fresh Egg Noodles."

Adulteration was alleged in that an artificially colored product deficient in eggs had been substituted wholly or in part for egg noodles, which it purported to be; and in that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged in that the statements "Egg Noodles" and "8 ounces," borne on the label, were false and misleading and tended to deceive and mislead the purchaser when applied to an article that was deficient in egg, contained added coal-tar color, and was short weight.

On August 31, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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