

29931. Adulteration of mixed nuts. U. S. v. 4 Boxes of Nuts (and 2 similar seizure actions). Default decrees of condemnation and destruction. (F. & D. Nos. 43969, 43970, 43971. Sample Nos. 28675-D, 28676-D, 28677-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original unbroken packages at the time of examination, was found to be insect-infested.

On September 30, 1938, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 13 boxes of mixed nuts at Ontario, Oreg.; alleging that the article had been shipped within the period from on or about February 6, 1937, to on or about August 23, 1937, by Peanut Peter Nut Co. from Seattle, Wash.; 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 17, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29932. Adulteration of butter. U. S. v. 285 Tubs and 23 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked or denatured. (F. & D. Nos. 44433, 44448. Sample Nos. 32300-D, 45601-D.)

Samples of this product were found to contain less than 80 percent of milk fat and to contain added mineral oil.

On November 7 and 14, 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 308 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce in part on or about September 7 and 12, 1938, by Deer Creek Creamery Co. from Atchison, Kans.; and charging adulteration in violation of the Food and Drugs Act.

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 provided by act of March 4, 1923. It was alleged to be adulterated further in that mineral oil had been substituted in part for butterfat.

On December 7, 1938, the cases having been consolidated and the Deer Creek Creamery Co., claimant, having admitted the allegations of the libels, judgment of condemnation was entered and the product was ordered released under bond conditioned that it might be salvaged by denaturing or reworking under the supervision of this Department. The lots found to be deficient in milk fat only were reworked, and the lots found to contain mineral oil were denatured for soap grease.

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

29933. Adulteration of frozen eggs. U. S. v. 20 Cans and 8 Cans of Frozen Eggs. Default decree of condemnation and destruction. (F. & D. Nos. 44305, 44306. Sample No. 37055-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original package at the time of examination, was found to be in whole or in part decomposed.

On November 7, 1938, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 28 cans of frozen eggs at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about October 8, 1938, by Hollywood Creamery Co. from Colorado Springs, Colo.; 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 decomposed animal substance.

On December 16, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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