

prints of butter at Dothan, Ala.; alleging that the article had been shipped in interstate commerce on or about May 3, 1939, from Chipley, Fla., by West Florida Creamery & Produce Co.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Mayo's Pride Butter."

It was alleged to be misbranded in that the label statements, (on shipping case) "30 lb. Prints," (retail carton) "One Pound Net," and (parchment wrapper) "Four Ounces Net," were false and misleading and deceived and misled the purchaser, in that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On June 15, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable agency.

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

30709. Adulteration of butter. U. S. v. 54 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. & D. No. 45496. Sample Nos. 26873-D, 26874-D.)

This product contained less than 80 percent of milk fat.

On June 9, 1939, 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 54 tubs of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about May 31, 1939, from South Sioux City, Nebr., by the Berger Creamery 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, a product which should contain not less than 80 percent of milk fat.

On June 21, 1939, the Berger Creamery Co., 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, so as to contain at least 80 percent of milk fat.

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

30710. Adulteration of frozen fish. U. S. v. 236 Boxes of Ocean Perch. Default decree of condemnation and destruction. (F. & D. No. 45107. Sample No. 65562-D.)

This product contained parasitic worms.

On March 28, 1939, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 236 boxes of frozen perch fillets at Indianapolis, Ind.; alleging that the article had been shipped in interstate commerce on or about March 15, 1939, from Boston, Mass., by American Fish 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 animal substance.

On June 3, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30711. Adulteration and misbranding of butter. U. S. v. 82 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. & D. No. 45525. Sample No. 26878-D.)

This product contained less than 80 percent of milk fat.

On June 16, 1939, 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 82 tubs of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 6, 1939, from Dewitt, Iowa, by Lisbon Cooperative Creamery Co., of Lisbon, Iowa, through its agent, O. C. Capper, of Dewitt, Iowa; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Lily Lake Brand."

It 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.

Misbranding was alleged in that the article was labeled "butter," which was false and misleading, since it contained less than 80 percent of milk fat.