

Mass., on or about November 20, 1929, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a substance, water, had been mixed and packed with and substituted in part for scallops.

On December 4, 1929, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16964. Adulteration of canned blueberries. U. S. v. 22 Cases of Canned Blueberries. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24218. I. S. No. 011557. S. No. 2463.)

On or about November 8, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cases of canned blueberries, remaining in the original unbroken packages at Dorchester (Boston), Mass., alleging that the article had been shipped by the R. J. Peacock Canning Co., from Machias, Me., on or about September 27, 1929, and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Peacanco Brand Blueberries * * * Packed by R. J. Peacock Canning Co., Lubec, Maine."

It was alleged in the libel that the article was adulterated in that maggots blueberries had been mixed and packed therewith so as to reduce and lower its quality, and had been substituted in part for blueberries which the article purported to be. Adulteration was alleged for the further reason that the article consisted in part of a filthy vegetable substance.

On December 9, 1929, the R. J. Peacock Canning Co., Machiasport, Me., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be salvaged and the adulterated portion destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16965. Misbranding of vinegar. U. S. v. 100 Cases of Na-Co Brand Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23908. I. S. No. 010140. S. No. 2126.)

On August 1, 1929, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of vinegar, remaining in the original unbroken packages at Muskegon, Mich., alleging that the article had been shipped by the Naas Corporation, Cohocton, N. Y., on or about June 11, 1929, and transported from the State of New York into the State of Michigan, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Na-Co Brand Cider Vinegar Reduced to 4% acetic acid * * * Net Contents One pint (lightly over-stamped) 10 ounces (lightly stamped) Naas Cider & Vinegar Co., Inc., Cohocton, N. Y."

It was alleged in the libel that the article was misbranded in that the statements on the label relative to the net contents were false and misleading and deceived and misled purchasers thereof, since the article was short volume. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantity stated was not correct.

On September 5, 1929, the Naas Corporation, Cohocton, N. Y., claimant, having admitted the facts set forth in the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant for relabeling, under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*