

district court a libel praying seizure and condemnation of five crates, each containing thirty-two 1-quart boxes of blueberries at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about August 30, 1933, by Mike McGurl from Jessup, Pa., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted of a filthy, decomposed, and putrid vegetable substance.

On October 13, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21495. Adulteration of crab meat. U. S. v. 2 Barrels, et al., of Crab Meat. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30733, 30980, 31082. Sample nos. 26644-A, 37949-A, 44133-A.)

These cases involved interstate shipments of crab meat which was found to contain filth.

On July 13, August 19, and September 9, 1933, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, libels praying seizure and condemnation of three barrels containing two hundred and seventy-five 1-pound cans and ninety-seven 1-pound cans of crab meat at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about July 10, August 16, and September 6, 1933, by Alex. Haddaway, in part from Claiborne, Md., and in part from McDaniel, Md., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy animal substance.

On October 18 and October 20, 1933, 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.

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

21496. Adulteration of crab meat. U. S. v. 2 Barrels and 1 Barrel of Crab Meat. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30856, 30857. Sample nos. 37919-A, 37922-A.)

These cases involved interstate shipments of crab meat which was found to contain filth.

On August 4, 1933, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, libels praying seizure and condemnation of three barrels containing three hundred and ten 1-pound cans of crab meat at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about August 1, 1933, by Claiborne Packing Co., from Claiborne, Md., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy animal substance.

On October 18 and October 20, 1933, 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.

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

21497. Adulteration of crab meat. U. S. v. 6 Barrels of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30734. Sample no. 26643-A.)

This case involved a shipment of crab meat which was found to contain filth.

On July 13, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of six barrels of crab meat at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about July 10, 1933, by F. P. Long & Co., from St. Michaels, Md., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy animal substance.

On October 18, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21498. Adulteration and misbranding of Old English Punch Maker. U. S. v. 14 Cases of Old English Punch Maker. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30609. Sample nos. 37030-A to 37036-A, incl.)

This case involved a product intended for use in preparing various fruit-flavored beverages, which upon examination was found to contain artificial color and acid, with a negligible amount, if any, of fruit present. The statement of the quantity of the contents appearing on the labels was not plain and conspicuous.

On June 14, 1933, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 cases of Old English Punch Maker at Salem, Oreg., alleging that the article had been shipped in interstate commerce, on or about May 2, 1933, by the Western Sales, from Seattle, Wash., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that an artificially colored mixture of sugar and acid containing a negligible amount, if any, of fruit flavor had been substituted for a beverage base containing fruit flavor. Adulteration was alleged for the further reason that the article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements on the carton and circular, "Punch Maker Strawberry [or "Loganberry", "Cherry", "Raspberry", "Orange", "Lemon", or "Lime"] Flavor", were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and in that it was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not easily legible.

On October 4, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21499. Adulteration of mayonnaise. U. S. v. 49 Cases and 49 Cases of Mayonnaise. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30364. Sample nos. 36251-A, 36252-A.)

This case involved an interstate shipment of mayonnaise which was found to contain added water.

On April 27, 1933, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cases each containing 1 dozen pint jars, and 49 cases each containing 1 dozen half-pint jars of mayonnaise at Milwaukee, Wis. On August 24, 1933, an amended libel was filed. It was alleged in the libel as amended that the article had been shipped in interstate commerce, on or about April 11, 1933, by the Blue Seal Food Products, Inc., from Chicago, Ill., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Hazel Brand Mayonnaise * * * Geo. Rasmussen Co. Chicago."

Adulteration of the article was alleged in the amended libel in that water had been mixed and packed with the article so as to reduce, lower, or injuriously affect its quality and strength; in that water had been substituted for mayonnaise; and in that the article had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statement, "Mayonnaise", on the label, was false and misleading and deceived and misled the purchaser, when applied to an article containing added water.

On October 20, 1933, the Blue Seal Products, Inc., the sole intervener in the case, having withdrawn its answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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