

at Cincinnati, Ohio, consigned about August 14 and August 20, 1934, alleging that the article had been shipped in interstate commerce, by C. P. Gevedon, from Panama, Ky., 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, or putrid animal substance; and 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 prescribed by the act of Congress of March 4, 1923, which the article purported to be.

No claim having been entered for the property and the consignee having recommended that, in view of its perishable nature, it be destroyed immediately, judgments were entered nunc pro tunc as of August 20 and 23, 1934, ordering that it be destroyed.

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

23123. Adulteration of butter. U. S. v. 2 Tins of Butter. Default decree of condemnation and destruction. (F. & D. no. 33404. Sample no. 6548-B.)

This case involved a shipment of butter that contained rodent and human hairs, mold, larvae, and other filth.

On August 15, 1934, 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 two tins, containing 177 pounds of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about August 6, 1934, by the Richmond Hide & Fur Co., from Richmond, Va., 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, decomposed, or putrid animal substance.

On September 1, 1934, no claimant having appeared, judgment of condemnation was entered and destruction of the product was ordered.

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

23124. Adulteration of butter. U. S. v. 22 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 33405. Sample no. 7255-B.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent of milk fat.

On August 22, 1934, 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 22 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about August 13, 1934, by the Fauquier Creameries, Inc., from Marshall, Va., 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 as provided by the act of Congress of March 4, 1923.

On August 31, 1934, the Fauquier Creameries, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released under a bond in the sum of \$500, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

23125. Adulteration of crab meat. U. S. v. 1 Barrel of Crab Meat. Default decree of condemnation and destruction. (F. & D. no. 33416. Sample no. 7286-B.)

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

On August 20, 1934, 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 one barrel of crab meat at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 16, 1934, by Rollins, Carmines & Co., from Hampton, Va., 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 September 17, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

23126. Misbranding of olive oil. U. S. v. 100 Cases of Olive Oil. Consent decree of condemnation. Product released under bond to be relabeled or repacked. (F. & D. no. 33428. Sample no. 421-B.)

Sample cans of olive oil taken from the shipment involved in this case were found to contain less than 4 fluid ounces, the labeled volume.

On September 7, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 cases of olive oil at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce, on or about August 11, 1934, by the Pompeian Olive Oil Corporation, from Baltimore, Md., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Contents 4 Fl. Ozs. Pompeian Virgin Pure Imported Olive Oil."

The article was alleged to be misbranded in that the statement on the label, "Contents 4 Fl. Ozs.", was false and misleading and tended to deceive and mislead the purchaser; and in that it was food 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 incorrect.

On September 13, 1934, the Pompeian Olive Oil Corporation, Baltimore, Md., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released to the claimant under bond, conditioned that it be relabeled or repacked under the supervision of this Department.

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

23127. Adulteration of blueberries. U. S. v. 33 Crates, et al., of Blueberries. Default decrees of condemnation and destruction. (F. & D. nos. 33436, 33437, 33438. Sample nos. 7485-B, 7486-B, 7487-B.)

These cases involved shipments of blueberries which were infested with maggots.

On August 23 and 24, 1934, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 83 crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 21, 1934, by F. S. Sawyer, from Harrington, Maine, 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, or putrid vegetable substance.

On September 17, 1934, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

23128. Adulteration of blueberries. U. S. v. 5 Crates of Blueberries. Default decree of forfeiture and destruction. (F. & D. no. 33439. Sample no. 14437-B.)

This case involved a shipment of blueberries which were infested with maggots.

On August 27, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five crates of blueberries at Boston, Mass., consigned on or about August 26, 1934, alleging that the article had been shipped in interstate commerce by Roland Gray, from South Brooksville, Maine, 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, or putrid vegetable substance.

On September 11, 1934, no claimant having appeared, judgment of forfeiture was entered and it was ordered that the product be destroyed.

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