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.*