

24305. Adulteration of frozen shrimp. U. S. v. 3,000 Pounds of Frozen Shrimp. Default decree of destruction. (F. & D. no. 34671. Sample no. 15677-B.)

This case involved an interstate shipment of frozen shrimp which was found to be in part decomposed.

On December 22, 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 3,000 pounds of frozen shrimp at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 15, 1934, by M. B. Matthews, from Port Lavaca, Tex., 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 decomposed animal substance.

On January 5, 1935, no claimant having appeared, judgment was entered ordering that the product be destroyed.

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

24306. Misbranding of canned cherries. U. S. v. 100 Cases of Canned Cherries. Decree of condemnation. Product released under bond for relabeling. (F. & D. no. 34677. Sample no. 20457-B.)

This case involved an interstate shipment of canned cherries which fell below the standard established by this Department because of the presence of excessive pits, and which were not labeled to indicate that they were substandard.

On December 27, 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 cherries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 18, 1934, by the Ray-Maling Co., from Woodburn, Oreg., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Black and White Brand Water Pack Red Sour Pitted Cherries * * * Haas-Baruch & Co., Los Angeles, Distributors."

The article was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department, indicating that it fell below such standard.

On January 11, 1935, the Ray-Maling Co., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it be relabeled under the supervision of this Department.

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

24307. Adulteration of frozen mixed eggs. U. S. v. 550 Cans of Frozen Mixed Eggs. Consent decree of condemnation. Product released under bond, conditioned that decomposed portion be destroyed or denatured. (F. & D. no. 34680. Sample no. 7392-B.)

This case involved a shipment of frozen mixed eggs which were found to be in part decomposed.

On January 2, 1935, 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 550 cans of frozen mixed eggs at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 3, 1934, by the Selby Poultry Co., from Webster City, Iowa, 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 decomposed animal substance.

On January 17, 1935, Chas. H. Nolte, Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the decomposed portion be separated therefrom and destroyed or denatured.

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