On September 14 and 21, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

29602. Adulteration of candy. U. S. v. 34 Boxes and 11 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. Nos. 43114, 43115. Sample Nos. 23661–D, 23665–D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was at the time of examination found to be insect-infected.

On or about July 26, 1938, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 34 boxes and 11 cartons of candy at Shreveport, La.; alleging that the article had been shipped in part on or about March 24 and April 25, 1938, by Mars, Inc., from Chicago, Ill., and in part on or about April 21 and June 17, 1938, by the Gilliam Candy Co. from Paducah, Ky.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On October 25, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29603. Adulteration of crab meat. U. S. v. 50 Pounds of Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 43512. Sample No. 34272–D.)

This product having been shipped in interstate commerce and remaining unsold and in the original packages, was found at the time of examination to contain evidence of the presence of filth.

On August 15, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 pounds of crab meat at Wildwood, N. J.; alleging that the article had been shipped on or about August 11, 1938, by the Star Oyster Co. from Crisfield, Md.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted in whole or in part of a filthy animal substance.

On September 17, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29604. Misbranding of canned cherries. U. S. v. 83 Cases of Canned Cherries. Default decree of condemnation. Product delivered to charitable institutions. (F. & D. No. 43628. Sample No. 27579–D.)

This product was substandard because of the presence of excessive pits, but was not labeled to indicate that it was substandard.

On or about September 3, 1938, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 83 cases of canned cherries at Amarillo, Tex.; alleging that the article had been shipped in interstate commerce on or about July 16, 1938, by the Halferty Corporation from Olympia, Wash.; and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Moon Winks Brand Water Pack R. S. P. Cherries * * * Packed by Huber Packing Co., Inc., Olympia, Washington."

Misbranding was alleged in that the article was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture in that there was present more than 1 cherry pit per each 20 ounces of net contents, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture indicating that it fell below such standard.

On October 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions provided first that the labels be obliterated.

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