On January 4, 1935, George N. Friedlander, of Everett, Mass., trading as the Eastern Sales Co., having appeared as claimant for the property 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 the labels be obliterated or destroyed and that new labels be placed on each can clearly describing the product.

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

24219. Misbranding of peanut butter. U. S. v. 245½ Cases of Peanut Butter. Decree of condemnation. Product released under bond. (F. & D. no. 33305. Sample nos. 3727–B, 3730–B.)

This case involved an interstate shipment of peanut butter which was short weight.

On August 28, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 245½ cases of peanut butter at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about August 1, 1934, by the Martin Peanut Products Corporation, Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Two Pounds Net Weight Economy Peanut Butter Manufactured by Martin Peanut Products Corporation—Chicago—New York."

The article was alleged to be misbranded in that the statement on the label, "Two Pounds Net Weight", was false and misleading and tended to deceive and mislead the purchaser, since the jars contained less than the declared net weight. Misbranding was alleged for the further reason that the article 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 December 5, 1934, the Martin Peanut Products Corporation having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it should not be disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

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

24220. Adulteration of blueberries. U. S. v. 94 Crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 33348. Sample no. 5662–B.)

This case involved an interstate shipment of blueberries which were found to contain maggots.

On or about August 3, 1934, the United States attorney for the Western 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 94 crates of blueberries at Rochester, N. Y., alleging that the article had been shipped in interstate commerce on or about August 1, 1934, by Michael McGurl, from Jessup, Pa., 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 January 30, 1935, 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.*

24221. Misbranding of peanut butter. U. S. v. 25 Cases of Peanut Butter. Default decree of condemnation and destruction. (F. & D. no. 33424. Sample no. 13238–B.)

Sample jars of peanut butter taken from the shipment involved in this case were found to contain less than 1 pound, the weight declared on the label.

On September 7, 1934, 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 25 cases of peanut butter at Racine, Wis., alleging that the article had been shipped in interstate commerce on or about August 20, 1934, by the Martin Peanut Products Corporation, from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "One Pound Net Weight Economy Peanut Butter Manufactured by Martin Peanut Products Corpn Chicago New York."