21921. Adulteration of olives. U. S. v. 40 Cases and 100 Cases of Olives. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31693, 31694. Sample nos. 59863–A, 59864–A.)

The cases involved interstate shipments of olives that were found to be in part wormy.

On December 11, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 150 cases of olives at Chicago, Ill., alleging that the article had been shipped in interstate commerce by B. M. Reeves Co., Inc., from Brooklyn, N.Y., on or about October 4, 1933, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled "Buy Rite Brand Olives." The remainder was labeled: "Peerless Olives * * * Packed by Peerless Packing Co., Brooklyn, New York."

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy vegetable substance.

On January 9, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21922. Adulteration of apple chops. U. S. v. 1,200 Bags of Apple Chops. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31695. Sample no. 61651–A.)

This case involved a shipment of apple chops that were insect-infested, decomposed, and dirty.

On December 8, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,200 bags of apple chops at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about January 25, 1933, by Ray A. Keymel, from Ontario, N.Y., 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 wholly or in part of a filthy and decomposed vegetable substance.

On February 13, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21923. Adulteration and misbranding of canned tomatoes. U. S. v. 396 Cases of Canned Tomatoes. Default decree of condemnation and destruction. (F. & D. no. 31696. Sample no. 63650–A.)

This case involved a shipment of canned tomatoes that were found to contain maggots. Examination also showed that the article was not Fancy Selected stock as labeled.

On December 8, 1933, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 396 cases of canned tomatoes at Muskogee, Okla., alleging that the article had been shipped in interstate commerce in various shipments on or about September 24, October 2, and October 5, 1933, by the Cincinnati Canning Co., from Cincinnati, Ark., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Nature's Best Tomatoes. Fancy Selected Stock."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy vegetable substance.

Misbranding of the article was alleged for the reason that the statement, "Fancy Selected Stock Packed for Finest Trade", was false and misleading and deceived and misled the purchaser.

On January 10, 1934, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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