

eggs at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 31, 1933, by Peter Fox Sons Co., from Dallas Tex., 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 in part of a decomposed animal substance.

On December 27, 1933, the Peter Fox Sons Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant for segregation and destruction of the decomposed portion, under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be disposed of in violation of the Federal Food and Drugs Act.

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

21936. Adulteration of walnut meats. U. S. v. 10 Cartons of Walnut Meats. Default decree of forfeiture and destruction. (F. & D. no. 31756. Sample no. 45388-A.)

This case involved a shipment of walnut meats that were found to be wormy and moldy.

On December 19, 1933, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cartons of walnut meats at Weiser, Idaho, alleging that the article had been shipped in interstate commerce on or about December 5, 1933, by L. Demartini Supply Co., from San Francisco, Calif., 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 filthy and decomposed vegetable substances.

On or about January 29, 1934, no claimant having appeared for the product, judgment of 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.*

21937. Misbranding of Cream-O-Cotton. U. S. v. 30 Cases of Cream-O-Cotton. Consent decree of condemnation. Product released under bond. (F. & D. no. 31700. Sample no. 52351-A.)

This case involved an interstate shipment of a cottonseed oil product used for shortening. Sample packages taken from the shipment were found to contain less than 1 pound, the labeled weight.

On December 22, 1933, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 cases of Cream-O-Cotton at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about November 1, 1933, by the Texas Refining Co., from Greenville, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Cream-O-Cotton, Net Wt. One Lb. Manufactured and Guaranteed by Texas Refining Co., Greenville, Texas."

It was alleged in the libel that the article was misbranded in that the statement, "Net Weight 1 Lb.", was false and misleading and deceived and misled the purchaser, and for the further reason 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 December 30, 1933, the Texas Refining Co., 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 by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned that it should not be sold contrary to the provisions of the Federal Food and Drugs Act and all other laws.

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

21938. Adulteration of dressed rabbits. U. S. v. 1 Barrel of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31763. Sample no. 63919-A.)

This case involved a shipment of dressed rabbits that were partly decomposed.

On December 22, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the dis-

strict court a libel praying seizure and condemnation of 1 barrel of rabbits at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 13, 1933, by the Stanley Produce Co., from Mendon, Mo., 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 in part of a decomposed animal substance.

On February 9, 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.*

21939. Adulteration and misbranding of olives. U. S. v. 24 Cases of Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31767. Sample no. 52318-A.)

This case involved a shipment of olives which were in part wormy and which were not labeled with a plain and conspicuous statement of the quantity of the contents, since the declaration on the label was not made in the terms of the largest unit, namely, 1 quart.

On December 22, 1933, 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 24 cases of olives at New Brunswick, N.J., alleging that the article had been shipped in interstate commerce on or about November 13, 1933, by B. M. Reeves, from Brooklyn, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Jar) "College Town Spanish Olives Contents 32 Oz."

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

Misbranding was alleged for the 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 quantity was not declared in terms of the largest unit.

On January 31, 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.*

21940. Adulteration and misbranding of olives. U. S. v. 22 Cases of Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31768. Sample no. 66009-A.)

This case involved a shipment of olives which were in part wormy and which were also short volume.

On December 22, 1933, 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 22 cases of olives at Englewood, N.J., alleging that the article had been shipped in interstate commerce on or about October 17, 1933, by Max Block & Co., Inc., from New York, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Case) "Salome Brand 1 Doz. 32 Oz. Selected Queen Olives", (bottle) "Salome Brand Selected Olives Contents 32 Fl. Oz. Max Block & Co. Inc. Distributors, New York."

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

Misbranding was alleged for the reason that the statements, (case) "32 Oz." (bottle) "Contents 32 Fl. Oz.", were false and misleading and deceived and misled the purchaser. 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 January 31, 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.*