On September 5, 1933, the Coeur d'Alene Creamery Co., claimant, 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 upon payment of costs and the execution of a bond in the sum of $200, conditioned in part that it be reworked in a manner satisfactory to this Department.

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

21705. Adulteration of crab meat. U. S. v. 106 Pounds of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30917. Sample no. 44103-A.)

This case involved an interstate shipment of crab meat that was found to contain filth and was also in part decomposed.

On or about July 28, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 106 pounds of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 25, 1933, by the Marshall Seafood Co., from Manteo, N.C., 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 whole or in part of a filthy and decomposed animal substance.

On November 6, 1933, 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.*

21706. Adulteration of crab meat. U. S. v. 124 Pounds of Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30916. Sample no. 44102-A.)

This case involved an interstate shipment of crab meat that was found to contain filth and was also in part decomposed.

On or about July 27, 1933, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 124 pounds of crab meat at Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about July 24, 1933, by George A. Philpotts from Mobjack, Va., 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 whole or in part of a filthy and decomposed animal substance.

On November 6, 1933, 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.*

21707. Misbranding of canned tomatoes. U. S. v. 40 Cases of Canned Tomatoes. Product delivered to charitable organizations. (F. & D. no. 30895. Sample no. 39867-A.)

This case involved an interstate shipment of canned tomatoes which contained excessive peel and blemishes, and which were not labeled to indicate that they were substandard.

On or about August 12, 1933, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 cases of canned tomatoes at Savannah, Ga., alleging that the article had been shipped in interstate commerce on or about July 24, 1933, by the Cherokee Products Co., from Beaufort, S.C., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Can) "Realm Vine Ripened Tomatoes."

It was alleged in the libel that the article was misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, because of the presence of excessive peel and blemishes, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department indicating that it was substandard.

On November 3, 1933, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed. The decree pro-