bags, and having admitted the allegations of the libel relating to that lot, and no claimant having appeared for the other lots, judgment of condemnation was entered with respect to all lots. The lot of 48 bags was ordered released under bond, or upon deposit of cash collateral, to be fumigated and reconditioned under the supervision of the Food and Drug Administration. The remaining lots were ordered delivered to a Federal penitentiary for national defense and salvage purposes, conditioned that the product be denatured.

5934. Adulteration of pickles. U. S. v. 14 Cases of Pickles. Default decree of condemnation and destruction. (F. D. C. No. 11156. Sample Nos. 50440–F, 50454–F.)

LIBEL FILED: November 22, 1943, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 15, 1943, by Bloch & Guggenheimer, Inc., New York, N. Y.

PRODUCT: 14 cases, each containing 12 jars, of pickles at Philadelphia, Pa.

LABEL, IN PART: "B an' G Fancy Dwarf Brand Fresh Cucumber Pickles."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments and rodent hair fragments.

DISPOSITION: December 17, 1943. No claimant having appeared, decree of condemnation was entered and the product was ordered destroyed.

5935. Misbranding of potatoes. U. S. v. Roy Linzoy. Plea of guilty. Fine, $250, of which $200 was suspended. (F. D. C. No. 10632. Sample No. 9083–F.)

INFORMATION FILED: January 17, 1944, Western District of Louisiana, against Roy Linzoy, Simmesport, La.

ALLEGED SHIPMENT: On or about May 18, 1943, the defendant delivered at Simmesport, La., for shipment into the State of Texas, a number of sacks of potatoes.

LABEL, IN PART: "Lone Star Bliss Triumphs 100 Lbs. Net," or "100 Lbs. [or "100 Lbs. Net"] Louisiana Pride Triumphs Potatoes."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement "100 Lbs," borne on a number of sacks, and the statement "100 Lbs. Net," borne on the remainder of the sacks, were false and misleading in that the sacks did not each contain 100 pounds of potatoes, but contained a smaller amount; Section 403 (e) (2), the product was in package form and its label failed to bear an accurate statement of the quantity of the contents; and, Section 403 (e) (1), the label failed to bear the name and place of business of the packer or distributor.

DISPOSITION: January 24, 1944. The defendant having entered a plea of guilty, the court imposed a fine of $250, of which $200 was suspended.

5936. Misbranding of potatoes. U. S. v. 200 Bags of Potatoes. Consent decree ordering that the product be released under bond to be resacked. (F. D. C. No. 11312. Sample No. 43190–F.)

LIBEL FILED: December 15, 1943, Northern District of California.

ALLEGED SHIPMENT: On or about November 30, 1943, by Troy V. Cook, from Dairy, Oreg.

PRODUCT: 200 bags of potatoes at Sacramento, Calif.

LABEL, IN PART: "U. S. No. 2 Quality Klamath Potatoes Packed by Troy V. Cook Klamath Falls, Oreg. 100 Lbs. Net."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statement on the label, "100 Lbs. Net," was false and misleading as applied to an article that was short-weight; and, Section 403 (e) (2), the article was food in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

DISPOSITION: January 27, 1944. The Stop-N-Shop Markets, Sacramento, Calif., having appeared as claimant and having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond to be resacked under the supervision of the Food and Drug Administration.

5937. Misbranding of potatoes. U. S. v. 198 Bags of Potatoes. Consent decree of condemnation. Product ordered released under bond for salvaging. (F. D. C. No. 11106. Sample No. 63015–F.)

LIBEL FILED: November 12, 1943, Western District of Missouri.