

18853. Adulteration of blueberries. U. S. v. 2 Crates of Fresh Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26897. I. S. No. 34509. S. No. 5087.)

Samples of fresh blueberries from the shipment herein described having been found to contain maggots, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On August 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two crates of fresh blueberries at New York, N. Y., alleging that the article had been shipped by E. V. Bates from South Brookfield (Brooksville), Me., on or about August 16, 1931, and had been transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tag) "From E. V. Bates, South Brooksville, Maine."

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

On September 10, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18854. Adulteration of blueberries. U. S. v. 3 Crates of Fresh Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26896. I. S. No. 34472. S. No. 5087.)

Samples of fresh blueberries from the shipment herein described having been found to contain maggots, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On August 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three crates of fresh blueberries at New York, N. Y., alleging that the article had been shipped by Arthur Jones from Sargeantville, Me., on or about August 16, 1931, and had been transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tag) "From Arthur Jones South Brooksville, Maine."

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

On September 10, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18855. Misbranding of canned peas. U. S. v. 98 Cases of Canned Peas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26868. I. S. No. 37818. S. No. 5039.)

Examination of samples of canned peas from the shipment herein described having shown that the article was below the standard for canned peas promulgated by the Secretary of Agriculture, and that the label failed to bear a statement showing that it fell below such standard, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.

On August 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 98 cases of canned peas, remaining in the original unbroken packages at Lebanon, Pa., alleging that the article had been shipped by the Torsch-Stevenson Corporation, from Milford, Del., on or about July 9, 1931, and had been transported from the State of Delaware into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Cow Boy Brand Early June Peas * * * The Torsch-Stevenson Corp. Distributors Baltimore, Md."

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 and/or fill of container, promulgated by the Secretary of Agriculture for such canned food, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture, indicating that such canned food fell below such standard.