

24921. Adulteration of huckleberries. U. S. v. 18 Baskets of Huckleberries. Decree of destruction. (F. & D. no. 36398. Sample no. 37473-B.)

This case involved a shipment of huckleberries which contained maggots. On August 26, 1935, 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 18 baskets of huckleberries at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 23, 1935, by Kite & Foltz, from Stanley, Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 28, 1935, the consignee having requested the immediate destruction of the product, judgment was entered ordering that it be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24922. Adulteration of huckleberries. U. S. v. 27 Baskets of Huckleberries. Decree of condemnation and destruction. (F. & D. no. 36399. Sample no. 37474-B.)

This case involved a shipment of huckleberries which contained maggots. On August 26, 1935, 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 27 baskets of huckleberries at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about August 23, 1935, by C. F. Dinges, from Stanley, Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 28, 1935, the consignee having requested the immediate destruction of the product, judgment was entered ordering that it be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24923. Adulteration of crab meat. U. S. v. Twenty-two 1-Pound Cans and 20 Pounds of Crab Meat. Default decrees of condemnation and destruction. (F. & D. nos. 36412, 36413. Sample nos. 27663-B, 27671-B.)

These cases involved shipments of crab meat that was found to be polluted.

On August 15 and August 21, 1935, the United States attorneys for the Eastern District of Pennsylvania and the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of twenty-two 1-pound cans of crab meat at Lancaster, Pa., and 20 pounds of crab meat at Ocean City, N. J., alleging that the article had been shipped in interstate commerce on or about August 13 and August 19, 1935, by A. B. Harris, from Oxford, Md., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted of a filthy animal substance.

On September 4 and October 5, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24924. Adulteration of dried peaches. U. S. v. 600 Boxes of Dried Peaches. Product released under bond. (F. & D. no. 36451. Sample no. 26747-B.)

This case involved an interstate shipment of dried peaches which were insect-infested.

On October 3, 1935, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 600 boxes of dried peaches at Houston, Tex., alleging that the article had been shipped in interstate commerce or on about September 10, 1935, by Rosenberg Bros. & Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "California Choice Peaches Prepared with Sulphur Dioxid."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On November 2, 1935, Rosenberg Bros. & Co., having appeared as claimant, judgment was entered finding that the essential allegations of the libel were true and ordering that the product be released to the claimant under bond conditioned that it should not be sold or otherwise disposed of contrary to law.

W. R. GREGG, *Acting Secretary of Agriculture.*

24925. Adulteration and misbranding of alleged olive oil. U. S. v. 100 Cans of Alleged Olive Oil. Default decree of condemnation. Product delivered to charitable institutions. (F. & D. no. 34882. Sample no. 30402-B.)

This case involved a shipment of alleged olive oil which was found to consist in large part of oils other than olive oil.

On January 11, 1935, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one hundred 1-gallon cans of alleged olive oil at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about January 10, 1935, by John De Pierro, from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Superfine Olive Oil, Imported Italia Brand, Lucca, Italy."

The article was alleged to be adulterated in that sunflower, peanut, or other oil had been substituted in part for olive oil, which the article purported to be.

Misbranding was alleged for the reason that the following statements on the label, "Superfine Olive Oil, Imported Italia Brand, Lucca, Italy" and "Net contents one gallon, first pressing, cream olive oil recommended highly for table and medicinal use", were misleading and tended to deceive and mislead the purchaser, since they represented that the article was imported olive oil; whereas it consisted largely of sunflower, peanut, or other oil, mixed with some olive oil, compounded and packed in the United States. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so.

On August 21, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be distributed to charitable institutions.

W. R. GREGG, *Acting Secretary of Agriculture.*