

On May 12, 1937, D. J. Halloran having appeared as claimant, judgments of condemnation were entered and the product was ordered released under bond conditioned that claimant obliterate from the sacks the words "U. S. Commercial."

H. A. WALLACE, *Secretary of Agriculture.*

27327. Adulteration of crab meat. U. S. v. 1 Barrel, 100 Pounds, and 158 Pounds of Crab Meat. Default decrees of condemnation and destruction. (F. & D. nos. 39413, 39415, 39539. Sample nos. 22839-C, 22854-C, 22891-C.)

These cases involved crab meat that was filthy.

On April 14, 17, and 22, 1937, the United States attorneys for the Southern District of New York and the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of one barrel, containing 126 pounds of crab meat, at New York, N. Y., and 258 pounds of crab meat at Philadelphia, Pa., alleging that it had been shipped in interstate commerce on or about April 11, 14, and 20, 1937, by the Gulf Crest Fisheries from Jacksonville, Fla., 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 animal substance.

On April 27 and May 17, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

27328. Adulteration of raisins. U. S. v. 37 Cases of Raisins. Default decree of condemnation and destruction. (F. & D. no. 39423. Sample no. 42729-C.)

This case involved raisins that were insect-infested.

On April 22, 1937, 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 37 cases, each containing 48 cartons of raisins, at Johnstown, Pa., alleging that they had been shipped in interstate commerce on or about December 27, 1935, by the Sunland Sales Cooperative Association, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sun-Maid Raisins * * * Sun-Maid Raisin Growers of California, of Fresno, California."

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

On June 11, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

H. A. WALLACE, *Secretary of Agriculture.*

27329. Adulteration of tomato paste. U. S. v. John S. Mitchell, Inc. Plea of guilty. Fine, \$25. (F. & D. no. 39443. Sample no. 25732-C.)

Samples of this product were found to contain excessive mold.

On May 13, 1937, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John S. Mitchell, Inc., Windfall, Ind., alleging shipment by said company in violation of the Food and Drugs Act on or about November 10, 1936, from the State of Indiana into the State of Illinois of a quantity of tomato paste that was adulterated. The article was labeled in part: "Concentrated Tomato * * * Liberty Bell Brand * * * Packed Expressly for R. Gerber & Co. Chicago, Ill."

It was alleged to be adulterated in that it consisted in whole and in part of a decomposed vegetable substance.

On June 5, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25.

H. A. WALLACE, *Secretary of Agriculture.*

27330. Adulteration of frozen eggs. U. S. v. Producers Produce Co., Inc. Plea of guilty. Fine \$200. (F. & D. no. 39448. Sample nos. 8843-C, 8844-C, 8846-C, 8852-C.)

This case involved frozen eggs that were in whole or in part decomposed and putrid.

On May 15, 1937, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Producers Produce Co., Inc., at Spring-

field, Mo., alleging shipment by said company in violation of the Food and Drugs Act on or about September 26 and October 16, 23, 24, and 26, 1936, from the State of Missouri into the States of New Jersey and New York of quantities of frozen eggs that were adulterated.

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

On June 5, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$200 and costs.

H. A. WALLACE, *Secretary of Agriculture.*

27331. Adulteration of walnut meats. U. S. v. Herman C. Fisher Co. Plea of guilty. Fine, \$100. (F. & D. no. 39467. Sample no. 28877-C.)

This case involved walnut meats that were in part moldy and insect-eaten.

On May 18, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Herman C. Fisher Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act on or about October 31, 1936, from the State of California into the State of Washington of a quantity of walnuts that were adulterated. The cartons were labeled in part: "Shelled California Walnuts * * * Fisher's Excel Herman C. Fisher Co. San Francisco Calif."

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

On June 1, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100.

H. A. WALLACE, *Secretary of Agriculture.*

27332. Adulteration of dried codfish. U. S. v. 12 Cases of Dried Codfish. Consent decree of condemnation and destruction. (F. & D. no. 39504. Sample nos. 24390-C, 24392-C.)

This case involved dried codfish that was decomposed.

On April 27, 1937, the United States attorney for the Territory of Hawaii, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cases of dried codfish at Honolulu, Hawaii, alleging that the article had been shipped on or about April 20, 1937, by Alexander & Baldwin, Ltd., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Anchor Brand Whole Codfish, Union Fish Co., San Francisco."

It was alleged to be adulterated in that it was filthy, decomposed, and putrid.

On April 27, 1937, Alexander & Baldwin, Ltd., and the Union Fish Co., claimants, having admitted the allegations of the libel and consented to destruction of the product, judgment of condemnation and destruction was entered.

H. A. WALLACE, *Secretary of Agriculture.*

27333. Adulteration and misbranding of potatoes. U. S. v. 360 Sacks of Potatoes. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 39505. Sample no. 43531-C.)

This case involved potatoes that were below the grade indicated on the label.

On April 26, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 100-pound sacks of potatoes at Hamilton, Ohio, consigned on or about April 20, 1937, alleging that they had been shipped in interstate commerce by Metzger's, Inc., from Greenville, Mich., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Good Luck U. S. Grade No. 1."

It was alleged to be adulterated in that potatoes below U. S. Grade No. 1 had been substituted wholly or in part for U. S. Grade No. 1 potatoes, which it purported to be.

The article was alleged to be misbranded in that the statement "U. S. Grade No. 1" was false and misleading and tended to deceive and mislead the purchaser when applied to potatoes below U. S. Grade No. 1.

On April 28, 1937, Metzger's, Inc., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of this Department.

H. A. WALLACE, *Secretary of Agriculture.*