

30715. Adulteration of crab meat. U. S. v. 278 Pounds of Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 45490. Sample No. 62980-D.)

This product contained evidence of the presence of filth.

On June 2, 1939, 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 209 pounds of white crab meat and 69 pounds of back fin lump crab meat at Baltimore, Md.; alleging that the article had been shipped on or about May 30, 1939, from New Orleans, La., by Paul Zibilich Co., Inc.; 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 June 27, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30716. Adulteration of butter. U. S. v. 1 Box of Butter. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. & D. No. 45528. Sample No. 51575-D.)

This product contained less than 80 percent of milk fat.

On May 20, 1939, the United States attorney for the Eastern District of Pennsylvania acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 box containing 60 pounds of butter at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about May 11, 1939, from Duluth, Minn., by Northwest Dairy Forwarding Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On June 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30717. Misbranding of canned tomatoes. U. S. v. 70 Cases of Canned Tomatoes. Default decree of condemnation. Product ordered delivered to a charitable agency. (F. & D. No. 45270. Sample No. 66450-D.)

This product was substandard because it did not consist of whole or large pieces, and it was not labeled to indicate that it was substandard.

On May 4, 1939, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 cases of canned tomatoes at Blackwell, Okla.; alleging that the article had been transported in interstate commerce on or about February 15, 1939, from Berryville, Ark., by Berryville Supply Co.; and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Mountain Brand Hand-Picked Tomatoes * * * Packed For Berryville Supply Co., Berryville, Ark."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since it did not consist of whole or large pieces, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department indicating that it fell below such standard.

On June 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable agency.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30718. Adulteration of butter. U. S. v. 13 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. & D. No. 45498. Sample No. 26876-D.)

This product contained less than 80 percent of milk fat.

On June 12, 1939, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 tubs of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 1, 1939, by Seward Creamery Co., Seward, Nebr., from United Creameries Service, Omaha, Nebr.; and charging adulteration in violation of the Food and Drugs Act.