

On or about December 18, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 bags of Brazil nuts at Chicago, Ill., alleging that the article had been shipped by Andrew Wilson, from New York, N. Y., November 14, 1930, and had been transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

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

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 18, 1930, John J. Maloney & Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be sorted under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act or any existing law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18113. Adulteration of canned blueberries. U. S. v. 81 Cases of Canned Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25206. I. S. No. 3186. S. No. 3484.)

Samples of canned blueberries from the shipment herein described having been found to contain maggots and worms, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On October 16, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 81 cases of canned blueberries, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by M. L. Caler, from Columbia, Me., on or about August 1, 1930, and had been transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Pleasant River Brand Maine Blueberries Packed by M. L. Caler, Addison, 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 February 26, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18114. Adulteration of canned pimientos. U. S. v. 79 Cases, et al., of Pimientos. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 25490, 25753, 25757. I. S. Nos. 8756, 8832, 8836. S. Nos. 3772, 4004, 4008.)

Samples of pimientos in glass from the shipments herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of New York.

On or about December 11, 1930, and January 17 and January 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 391 cases of pimientos in glass, remaining in the original unbroken packages in part at Buffalo, N. Y., and in part at Rochester, N. Y., alleging that the article had been shipped by the Pomona Products Co., Griffin, Ga., in part on or about September 13, 1930, and in part on or about October 10, 1930, and had been transported from the State of Georgia into the State of New York, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Jar) "Pomona Brand * * * Pimientos Grown and Packed by Pomona Products Co., Griffin, Ga." The remainder of the said article was labeled in part: (Jar) "Sunshine Brand * * * Pimientos Pomona Products Co. Griffin, Ga."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On March 17, 1931, the Pomona Products Co., Griffin, Ga., having appeared as claimant for the property, judgments of condemnation were entered and it was