

been shipped in interstate commerce by F. L. Whitney, from Surry, Maine, and charging adulteration in violation of the Food and Drugs Act.

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

On August 18, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21406. Adulteration of blueberries. U. S. v. 40 Crates, et al., of Blueberries. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 31105, 31106, 31107, 31119, 31120, 31121, 31138, 31141, 31172. Sample nos. 42515-A, 42518-A, 43277-A, 43278-A, 43281-A, 43656-A, 43657-A, 43658-A, 45972-A.)

These cases involved interstate shipments of blueberries which were found to be infested with maggots.

On September 1 and September 5, 1933, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 289 crates of blueberries at New York, N.Y. On September 1 and September 2, 1933, libels were filed in the Northern District of Ohio against 15 crates of blueberries at Cleveland, Ohio, and on September 8, 1933, a libel was filed in the Northern District of Illinois against 19 cases of blueberries at Chicago, Ill. It was alleged in the libels that the article had been shipped in interstate commerce by W. C. Robinson, from Harrington, Maine, between the dates of August 29 and August 31, 1933, and that it was adulterated in violation of the Food and Drugs Act.

The libels filed in the Southern District of New York and the Northern District of Ohio charged that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance. Adulteration was alleged in the libel filed in the Northern District of Illinois for the reason that the article consisted in whole or in part of a filthy animal substance.

On September 15, September 28, October 9, and October 13, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21407. Adulteration of canned salmon. U. S. v. 1,321 Cases, et al., of Canned Salmon. Decrees of condemnation and forfeiture. Product released under bond for separation and destruction of decomposed portion. (F. & D. nos. 29050, 29098, 29310. Sample nos. 13317-A, 13325-A, 16151-A, 16160-A.)

These cases involved several shipments of canned salmon identified by various code marks. Samples taken from certain codes in each shipment were found to be in part decomposed.

On October 17 and October 21, 1932, the United States attorney for the Southern District of Texas, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,815 cases of canned salmon at Houston, Tex. On November 19, 1933, the United States attorney for the District of Kansas, filed a libel against 797 cases of canned salmon at Wichita, Kans. It was alleged in the libels that the article had been shipped in interstate commerce, in various shipments on or about August 24, September 2, and September 6, 1932, by Libby, McNeill & Libby, from Seattle, Wash., into the States of Texas and Kansas and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Happy Vale Brand Pink Salmon."

The libels charged that the article was adulterated in that it consisted in part of a decomposed animal substance.

On September 19 and September 26, 1933, the Copper River Packing Co. having appeared as claimant for the property and having admitted the material allegations of the libels, judgments of condemnation and forfeiture were entered. The court having found that portions of the product were not adulterated, the decrees provided that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$6,500, conditioned that the cans containing decomposed salmon be segregated and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*