

district court libels praying seizure and condemnation of 480 bags of shelled peanuts at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about May 1, 1934, by the Columbian Peanut Co., from Savannah, Ga., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Shelled Runner Peanuts."

The libels charged that the article was adulterated in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

The article was also alleged to be misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 9, 1934, the Columbian Peanut Co., claimant, having consented to the entry of decrees, judgments were entered finding the product adulterated and ordering its condemnation, and it was further ordered that the product be released under bond, conditioned that it be sorted under the supervision of this Department to separate the good from the bad, and that the bad be destroyed.

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

23311. Adulteration of apple butter. U. S. v. 69 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. no. 33455. Sample no. 2452-B.)

This case involved a shipment of apple butter, samples of which were found to be moldy and to contain worms and insects.

On September 12, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 69 cases of apple butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about June 27, 1934, by Preserves & Honey, Inc., from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Shady Dell Brand Apple Butter."

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

On November 16, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

23312. Misbranding of canned tomato sauce. U. S. v. 47 Cartons of Tomato Sauce. Default decree of forfeiture and destruction. (F. & D. no. 33457. Sample no. 6759-B.)

Sample cans of tomato sauce taken from the shipment involved in this case were found to contain less than 8 ounces, the weight declared on the label.

On September 14, 1934, the United States attorney for the Eastern 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 47 cartons of tomato sauce at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce, on or about June 27, 1934, by the Orange County Canners, from Fullerton, Calif., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Golden King Extra Fine Spanish Style Tomato Sauce, Contents 8 Oz. * * * I Dickman & Sons., Brooklyn, N. Y., Distributors."

The article was alleged to be misbranded in that the cans were labeled, "Contents 8 Oz.", and contained less than 8 ounces.

On November 5, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

23313. Adulteration and misbranding of frozen eggs. U. S. v. 185 Cans of Frozen Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 33497. Sample no. 11345-B.)

This case involved a shipment of frozen eggs which were in part decomposed. The cans failed to bear on the label a statement of the quantity of the contents.

On September 15, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 185 cans of frozen eggs at New Orleans, La., alleging that the article had been shipped in interstate commerce, on or about August 11, 1934, by the Western Produce Co., from Fort Worth, Tex., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.