

to tomatoes that were not packed in Florida, and in that it was labeled as aforesaid so as to deceive and mislead the purchaser.

On October 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public welfare agency.

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

**28179. Adulteration of canned blackberries. U. S. v. 82 Cases of Canned Blackberries. Default decree of condemnation and destruction. (F. & D. No. 39996. Sample Nos. 39455-C, 39468-C.)**

These canned blackberries were moldy.

On July 20, 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 a libel praying seizure and condemnation of 82 cases of canned blackberries at Oakland, Calif., alleging that the article had been shipped in interstate commerce on or about May 21, 1937, by John Abbott, from Astoria, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled: (Cans) "The Irvine Co. Oakland, California \* \* \* Blackberries."

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

On January 20, 1938, no claimant having appeared, judgment of condemnation was entered, and the article was ordered destroyed.

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

**28180. Adulteration of crab meat. U. S. v. 1 Keg and 15 Cans of Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 39983. Sample No. 32275-C.)**

This product contained evidence of the presence of filth.

On July 15, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1 keg and 15 cans of crab meat at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about July 13, 1937, by V. S. Lankford from Hampton, Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted of a filthy animal substance.

On February 15, 1938, default decree of condemnation and order of destruction of the article was entered.

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

**28181. Adulteration of dairy ration. U. S. v. 204 Sacks of Dairy Ration. Decree of condemnation. Article released under bond for relabeling. (F. & D. No. 39969. Sample No. 2605-C.)**

This product contained less protein and fat and more fiber than declared.

On July 21, 1937, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 204 sacks of dairy ration at Mondovi, Wis., alleging that the article had been shipped in interstate commerce on or about April 12, 1937, by the Northern Oats Co., from Minneapolis, Minn., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Front of tag) "16% Dairy Ration Manufactured By Commercial Research Lapp Laboratories \* \* \* Minneapolis, Minnesota"; (reverse side) "Analysis: Protein----16% Fat----3% Fibre----12%."

The article was alleged to be misbranded in that the statements borne on the label were false and misleading and tended to deceive and mislead the purchaser since it contained less protein and fat and more fiber than declared.

On October 2, 1937, the Northern Oats Co., Inc., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered. And it was ordered that the product be released under bond conditioned upon relabeling.

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

**28182. Adulteration of canned cherries. U. S. v. 50 Cartons of Canned Cherries. Default decree of condemnation and destruction. (F. & D. No. 40460. Sample No. 51034-C.)**

This product contained maggots.

On October 9, 1937, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the