

It was alleged to be misbranded in that the statement "Contents 6 Lbs. 12 Oz." was false and misleading and tended to deceive and mislead the purchaser since it was short weight; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package since the quantity stated was not correct.

On June 27, 1938, the Sargentville Packing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be correctly relabeled under the supervision of this Department.

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

29114. Adulteration of crab meat. U. S. v. Winstead-Bloxom-Jones Co., Inc. Plea of nolo contendere. Fine, \$40 and costs. (F. & D. No. 38623. Sample Nos. 4868-B, 27774-B, 7501-C, 7858-C, 7927-C.)

This product contained evidence of the presence of filth.

On April 14, 1938, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Winstead-Bloxom-Jones Co., Inc., a corporation, Newport News, Va.; alleging shipment by said defendant in violation of the Food and Drugs Act on or about August 27, 1934, July 2, 1935, and July 7, 13, and 20, 1936, from the State of Virginia into the District of Columbia of quantities of crab meat which was adulterated.

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

On May 12, 1938, a plea of nolo contendere having been entered in behalf of the defendant, the court imposed a fine of \$40 and costs on the first count and suspended imposition of penalty on the remaining counts.

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

29115. Adulteration of crab meat. U. S. v. G. T. Elliott, Inc. Plea of nolo contende Fine, \$40 and costs. (F. & D. No. 38635. Sample Nos. 4905-B, 39372-B, 39912-B, 7856-C.)

This product contained evidence of the presence of filth.

On April 14, 1938, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against G. T. Elliott, Inc., Hampton, Va.; alleging shipment by said defendant in violation of the Food and Drugs Act on or about July 31, 1934, July 9 and 16, 1935, and July 20, 1936, from the State of Virginia into the States of Ohio, Pennsylvania, and Maryland and the District of Columbia, of quantities of crab meat which was adulterated. A portion of the article was labeled in part: "From G. T. Elliott, Inc. Hampton, Va."

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance, fecal *Bacillus coli*.

On May 12, 1938, a plea of nolo contendere having been entered in behalf of the defendant, the court imposed a fine of \$40 and costs on the first count and suspended imposition of penalty on the remaining three counts.

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

29116. Adulteration of spinach. U. S. v. 600 Baskets of Spinach. Consent decree of condemnation and destruction. (F. & D. No. 42141. Sample No. 17079-D.)

This product was infested with aphids.

On April 6, 1938, 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 600 baskets of spinach at Baltimore, Md.; alleging that the article had been shipped in interstate commerce on or about April 5, 1938, from Norfolk, Va., by the Commercial Produce Co.; 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 vegetable substance.

On May 4, 1938, the Commercial Products Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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