

signed by the Alaska Packers Assoc., alleging that the article had been shipped in interstate commerce in two shipments, from the Territory of Alaska into the State of California, arriving at San Francisco on or about August 23 and 30, 1926, respectively, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled: "Del Monte Brand Quality Packed By Alaska Packers Association San Francisco." The remainder of the said article was labeled: (Can) "J 15 Anchor Hume's Flag Brand Red Salmon Alaska Packers Association San Francisco."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 11 and 28, 1926, respectively, the Alaska Packers Assoc., San Francisco, Calif., having appeared as claimant for 600 cases of the product and the Alaska Packers having appeared as claimant for the remainder thereof, and the said claimants having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds totaling \$21,660, conditioned in part that it be made to conform with the law under the direction of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14756. Adulteration and misbranding of tomato paste. U. S. v. 500 Cases, et al., of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 20956, 20973. I. S. Nos. 4018-x, 4019-x, 4020-x, 4023-x. S. Nos. C-5052, C-5056.)

On or about March 19 and 26, and April 29, 1926, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,875 cases of tomato paste, remaining in the original unbroken packages, in various lots at New Orleans, Plaquemine, Vacherie, Donaldsonville, Maringouin, Melville, Baton Rouge, Morgan City, Franklin, New Iberia, Thibodaux, Houma, and Litcher, La., respectively, alleging that the article had been shipped by the Fettig Canning Co., from St. Louis, Mo., and East St. Louis, Ill., in various consignments, on or about February 19 and 26, and March 8, 1926, respectively, and transported from the States of Missouri and Illinois into the State of Louisiana, and charging adulteration and misbranding with respect to a portion of the product, and adulteration with respect to the remainder thereof, in violation of the food and drugs act as amended. The various lots were labeled in part: (Can) "Mary's Choice Brand Tomato Paste * * * Packed By Fettig Canning Co. Elwood, Ind." or "Best-Of-All Brand Pure Tomato Paste" or "Conco Brand Tomato Paste Net Weight Of Contents 5 Ounces."

It was alleged in the libels that the above product was adulterated, in that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance. Adulteration was alleged with respect to the portion of the product labeled "Conco Brand" for the further reason that an insufficiently concentrated tomato paste product had been substituted wholly or in part for the article.

Misbranding of the said Conco brand was alleged for the reason that the statements "Tomato Paste Net Weight Of Contents 5 Ounces" were false and misleading and deceived and misled the purchaser, and for the further reason 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, in that the label indicated a weight of 5 ounces, whereas the package contained less than 5 ounces of the article.

On June 14, 1926, the cases having been consolidated into one cause of action and 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.

W. M. JARDINE, *Secretary of Agriculture.*

14757. Adulteration of canned salmon. U. S. v. 500 Cases, et al., of Salmon. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21280, 21281, 21283, 21286. I. S. Nos. 51-x, 52-x, 53-x, 54-x. S. Nos. W-2009, W-2010, W-2012, W-2013.)

On September 4 and 8, 1926, respectively, the United States attorney for the Northern District of California, acting upon reports by the Secretary of

Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 10,804 cases of salmon, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Bristol Bay Packing Co., alleging that the article had been shipped in interstate commerce from Bristol Bay, Alaska, into the State of California, arriving at San Francisco between the dates of August 20 and 28, 1926, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled: (Can) "Frost King Fresh" (or "New Year's Brand") "Alaska Red Salmon Sockeye * * * Packed By The Bristol Bay Packing Co. At Bristol Bay, Alaska, U. S. A. Office—San Francisco, Cal." The remainder of the said article was unlabeled.

Adulteration of the article was alleged in the libels for the reason that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On October 19, 1926, the Bristol Bay Packing Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds totaling \$54,000, conditioned in part that it be brought into conformity with the law under the supervision of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14758. Misbranding of meat meal. U. S. v. 700 Bags of Meat Meal. Product released under bond to be relabeled. (F. & D. No. 20964. I. S. No. 10667-x. S. No. W-1935.)

On March 24, 1926, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 700 bags of meat meal, remaining in the original unbroken packages at Petaluma, Calif., consigned by the Berg Co., Philadelphia, Pa., alleging that the article had been shipped from Philadelphia, Pa., January 20, 1926, and transported from the State of Pennsylvania into the State of California, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Bag) "100 Lbs. Berg's 55% Protein Poultry Meat & Bone Scrap Guaranteed Analysis Min. Protein 55.00% * * * Manufactured By The Berg Company Incorporated. Philadelphia, Pa."

Misbranding of the article was alleged in the libel for the reason that the statements, "Min. Protein 55.00%" and "100 Lbs.," borne on the label, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further 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 August 13, 1926, the Hart-Hill Grain Co., San Francisco, Calif., having appeared as claimant for the property and having relabeled the product and given bond for its release, it was ordered by the court that the said product be delivered to the claimant.

W. M. JARDINE, *Secretary of Agriculture.*

14759. Adulteration of tomato catsup. U. S. v. 19 Cases and 27 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20897. I. S. No. 9452-x. S. No. C-4984.)

On February 26, 1926, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 46 cases of tomato catsup, at Jackson, Tenn., alleging that the article had been shipped by the Geo. Van Camp & Sons Co., from Cairo, Ill., on or about December 9, 1925, and transported from the State of Illinois into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Geo. Van Camp's Tomato Catsup * * * Geo. Van Camp & Sons Co. Westfield, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On November 26, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*