

On March 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 498 cases of canned prunes at Enid, Okla., consigned by the Ray-Maling Co., Hillsboro, Oreg., October 7, 1930, alleging that the article had been shipped in interstate commerce from Hillsboro, Oreg., into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Santa Fe Brand Italian Prunes * * * Packed for the Ranney-Davis Mercantile Co. * * * Enid, * * * Oklahoma."

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

On May 15, 1931, the Ranney-Davis Mercantile Co., Enid, Okla., having withdrawn its motion to quash the motion and having by leave of court filed its answer, the court, after hearing evidence and testimony of witnesses, found that the averments of the libel were true as alleged therein and that the product had been packed and sold to the intervener under a written guarantee that it complied with the Federal food and drugs act. Judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed and that the costs of the proceedings be assessed against the said Ranney-Davis Mercantile Co.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18428. Adulteration of canned salmon. U. S. v. 28 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25337. I. S. No. 17451. S. No. 3615.)

Samples of canned salmon from the shipment herein described having been found to be putrid, tainted, or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Mississippi.

On November 19, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 28 cases of canned salmon, remaining in the original unbroken packages at Columbus, Miss., alleging that the article had been shipped by the E. H. Hamlin Co., Seattle, Wash., on or about August 27, 1930, and had been transported from the State of Washington into the State of Mississippi, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Silver Sea Brand Pink Salmon * * * Packed For West Sales Inc., Seattle."

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

On April 13, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18429. Adulteration and misbranding of meat scraps. U. S. v. Norfolk Tallow Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 21608. I. S. Nos. 13521-x, 13547-x, 13548-x.)

Samples of meat scraps for poultry from the shipments herein described having been found to contain less protein and more phosphoric acid than declared on the labels, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Virginia.

On October 25, 1927, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Norfolk Tallow Co., a corporation, Norfolk, Va., alleging shipment by said company, in violation of the food and drugs act, on or about October 6, 1926, from the State of Virginia into the State of Georgia; and on or about January 10, 1927, from the State of Virginia into the State of Florida, of quantities of meat scraps which were adulterated and misbranded. The article was labeled in part: (Sacks) "Notalco Extra Quality Meat Scraps [or "AA High Grade Meat Scraps"] For Poultry, Guaranteed Analysis Protein Min. 55% [or "45%"] * * * Phos. Acid Max. 10%, Manufactured by Norfolk Tallow Co. Norfolk, Va."

It was alleged in the information that the article was adulterated in that substances, namely, meat and bone meal containing less than 55 per cent or 45 per cent, as the case might be, of protein, and more than 10 per cent of phosphoric acid, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for the said article.