

since it represented that the corn was of a grade known as Fancy, whereas it was not, but was corn of a different and lower grade.

On March 28, 1932, the Princeville Canning Co., Princeville, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act, or the laws of any State, Territory, District, or insular possession.

HENRY A. WALLACE, *Secretary of Agriculture.*

19681. Adulteration of bluefins. U. S. v. 10 Boxes, et al., of Bluefins. Decrees of condemnation and destruction entered. (F. & D. Nos. 27783, 27809, 27903, 27904. I. S. Nos. 43305, 43308, 43315, 43316. S. Nos. 5885, 5916, 5944, 5945.)

These actions involved the interstate shipment of bluefins, samples of which were found to be infested with parasitic worms.

On February 26, March 4, and March 10, 1932, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 76 boxes of bluefins, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce between the dates of February 18 and March 4, 1932, by the Hogstad Fish Co., from Duluth, Minn., to Pittsburgh, Pa., and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged with respect to 66 boxes of the product for the further reason that it consisted of portions of animals unfit for food.

On March 1, March 4, and March 11, 1932, no claim having been interposed for the property, and the respective consignees having consented to its destruction, judgments of condemnation were entered and it was ordered by the court that the fish be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19682. Adulteration and misbranding of canned tuna fish. U. S. v. 14 Cases of Canned Tuna Fish. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27801. I. S. No. 22637. S. No. 5894.)

This action involved a shipment of canned tuna fish, samples of which were found to contain less than the declared weight. The product also was found to contain excessive oil.

On March 3, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 14 cases of the said canned tuna fish, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about February 13, 1932, by the Franco-Italian Packing Co., from Los Angeles, Calif., to Seattle, Wash., and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Contents 13 Oz. Reliance Brand NGC Tuna Fish Packed for National Grocery Co., Seattle, Wash."

It was alleged in the libel that the article was adulterated in that excessive oil had been substituted in part for the said article.

Misbranding was alleged for the reason that the statement "Contents 13 Oz." was false and misleading, and deceived and misled the purchaser.

On March 11, 1932, the Johnson-Lieber Co. (Inc.), having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it be relabeled under the supervision of this department, and that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*