

was adulterated and misbranded. The portion of the article shipped to California was labeled in part: "Pel-La-Co. Fancy Louisiana Shrimp * * * Packed by Pelican Lake Oyster & Packing Co., Ltd. Houma, La." The portion delivered for shipment to Venezuela was labeled in part: "'Creole' Brand Louisiana Shrimp * * * Packed by Pelican Lake Oyster & Packing Co. Ltd., Houma * * * Dry Pack Contents 5 oz."

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

Misbranding was alleged with respect to the Creole brand shrimp for the reason that the statement "Contents 5 oz.," borne on the label, was false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the cans contained less than 5 ounces. Misbranding of the said Creole brand shrimp 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 packages, since the statement made was incorrect.

On August 18, 1932, pleas of not guilty formerly entered on behalf of the defendant company were withdrawn and pleas of guilty were entered. The court imposed a fine of \$25 in each case, a total of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20131. Adulteration of crab meat. U.S. v. 48 Cans, et al., of Crab Meat. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 28573, 28629, 28658. Sample Nos. 13135-A, 15913-A, 15923-A.)

These actions involved the interstate shipment of quantities of crab meat, samples of which were found to contain filth.

On August 3, August 9, and August 12, 1932, the United States attorney for the Eastern 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 146 cans of crab meat, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in various consignments on or about July 29, August 5, and August 10, 1932, by W. C. Larrimore, from St. Michaels, Md., to Philadelphia, 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 wholly or in part of a filthy animal substance.

On August 31, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20132. Misbranding of canned tomatoes. U.S. v. 283 Cases, et al., of Canned Tomatoes. Decree of condemnation entered. Product released under bond to be relabeled. (F. & D. Nos. 28548, 28792. Sample Nos. 13203-A, 13204-A, 13395-A.)

These actions involved quantities of canned tomatoes that were substandard because they contained excessive peel, were of poor color, and portions did not consist of whole or large pieces; the article was misbranded, since it was not labeled to show that it was substandard. The article was further misbranded, since it was represented to have been packed at Jacksonville, Fla., whereas it was packed at Hazlehurst, Miss.

On July 28 and August 29, 1932, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 626 cases of canned tomatoes, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped in interstate commerce in various consignments on or about June 23, July 4, and July 15, 1932, by the Hazlehurst Canning Co., Inc., Hazlehurst, Miss., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Shaver's Brand Hand Packed Tomatoes * * * Packed by Shaver Brothers, Inc., Jacksonville, Fla."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Packed by Shaver Brothers, Inc., Jacksonville, Fla.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was canned food and fell below