

original and unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by McGovern & McGovern, from Seattle, Wash., arriving at Jacksonville, Fla., on or about September 29, 1932, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "McGovern's Best Brand Alaska Pink Salmon Distributed by McGovern & McGovern, Seattle, U. S. A."

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

On November 21, 1932, the Standard Packing Co., Seattle, Wash., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of \$1,800, conditioned that the unfit portion be segregated and destroyed.

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

20488. Adulteration of canned salmon. U. S. v. 1,450 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29113. Sample nos. 22551-A, 22552-A.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be decomposed.

On October 24, 1932, the United States attorney for the Eastern District of Virginia, 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 1,450 cases of canned salmon, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about September 9, 1932, by McGovern & McGovern, from Seattle, Wash., to Norfolk, Va., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "McGovern's Best Brand Pink Alaska Salmon."

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

On November 16, 1932, the Standard Packing Co., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of \$4,350, conditioned that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act and all other laws; it was further provided that the claimant might remove the goods to Seattle, Wash., for reconditioning.

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

20489. Adulteration of canned salmon. U. S. v. 300 Cases and 500 Cases of Canned Salmon. Appearance and claim entered. Certain codes released unconditionally; 79 cases ordered destroyed. Remainder condemned and forfeited, released under bond. (F. & D. no. 29289. Sample no. 26759-A.)

This action involved a quantity of canned salmon, variously coded. Samples taken from certain of the codes were found to be decomposed.

On November 12, 1932, the United States attorney for the Western District of Kentucky, 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 800 cases of canned salmon at Louisville, Ky. It was alleged in the libel that the article had been shipped in interstate commerce on or about October 19, 1932, that 300 cases had been shipped by the Shepard Point Packing Co., from Seattle, Wash., that 500 cases had been shipped by the Standard Packing Co., from Shepard Point, Alaska, that the article remained in the original cases at Louisville, Ky., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Sea Roamer Brand Alaska Pink Salmon Packed By Shepard Point Packing Co., Seattle, Washington"; or "Floe Brand Alaska Pink Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance.

The Shepard Point Packing Co., a Washington corporation, appeared and filed an answer admitting the allegations of the libel, alleging, however, that

most of the product was fit for food. On November 26, 1932, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to the claimant upon payment of costs and the execution of a bond in the sum of \$3,000, conditioned that it should not be disposed of contrary to the provisions of the Federal Food and Drugs Act, that it be made to comply with the law under the supervision of this Department, and that it might be removed to Seattle, Wash., if necessary, to accomplish such purpose. On December 21, 1932, certain lots were released unconditionally; and on January 10, 1933, 79 cases of the goods were ordered destroyed.

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

20490. Adulteration of cauliflower. U. S. v. 122 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29564. Sample nos. 4858-A, 4864-A.)

This action involved the interstate shipment of a quantity of cauliflower that was found to bear arsenic and lead in amounts which might have rendered it injurious to health.

On October 29, 1932, the United States attorney for the Northern District of Illinois, 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 122 crates of cauliflower at Chicago, Ill., alleging that the article had been shipped in interstate commerce on October 17, 1932, by S. A. Gerrard Co., from Pueblo, Colo., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, in amounts which might have rendered the article injurious to health.

On December 14, 1932, 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.

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

20491. Misbranding of canned tomatoes. U. S. v. 250 Cases and 300 Cases of Canned Tomatoes. Product adjudged misbranded; released under bond to be relabeled. (F. & D. no. 28303. I. S. nos. 50880, 50881. S. no. 6170.)

This case involved two lots of canned tomatoes, both of which were found to contain excessive peel, and one of which also was substandard color. The product was not labeled with a statement prescribed by the Secretary of Agriculture to show that it was substandard.

On May 12, 1932, the United States attorney for the District of Nebraska, 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 two lots, consisting of 250 cases and 300 cases, respectively, of canned tomatoes, at Lincoln, Nebr., alleging that the article had been shipped in interstate commerce on or about February 16, 1932, by the Ozark Canning Co., from Springdale, Ark., to Lincoln, Nebr., and charging misbranding in violation of the Food and Drugs Act. The 250-case lot was labeled in part: (Can) "Ozark Pride Brand Tomatoes * * * Packed by Ozark Canning Co., Hinesville, Ark." The remainder was labeled in part: (Can) "Linco Brand Tomatoes."

It was alleged in the libel that the article was misbranded in that it fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, since both lots contained excessive peel, and the 300-case lot also was of substandard color; and the label failed to bear a plain and conspicuous statement prescribed by the Secretary of Agriculture, indicating that the article fell below such standard.

On July 11, 1932, the Grainger Bros. Co., Lincoln, Nebr., claimant, having admitted the libel, and having consented to condemnation and forfeiture of the property, a decree was entered adjudging the product to be misbranded. It was ordered by the court that the goods be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be relabeled under the supervision of this Department.

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