

21108. Adulteration of canned salmon. U. S. v. 870 Cases, et al., of Canned Salmon. Product released under bond. (F. & D. no. 29540. Sample nos. 26901-A, 26920-A, 26921-A.)

These cases involved an interstate shipment of canned salmon, samples of which were found to be decomposed.

On November 26, 1932, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 870 cases of canned salmon at Nashville, Tenn. A portion of the goods covered by this libel was not seized. Subsequently the United States attorney filed libels against 201 cases and 455 cases covering the remainder. The libels charged that the article had been shipped in interstate commerce, on or about September 19, 1932, by the C. F. Buelow Co., from Seattle, Wash., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Spot Lite Brand Pink Salmon."

It was alleged in the libels that the article was adulterated in that an examination had shown the presence of a putrid animal substance.

On June 9, 1933, the C. B. Ragland Co., Nashville, Tenn., having entered a claim for the property, and having petitioned that it be released temporarily for the purpose of returning it to Seattle, Wash., it was ordered by the court that the product be released to the claimant upon the execution of a bond in the sum of \$3,000, conditioned that it should not be sold or otherwise disposed of in violation of the Food and Drugs Act, and that it be brought into conformity with the law under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

21109. Adulteration of butter. U. S. v. Des Moines Cooperative Dairy Marketing Association, Inc. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 29475. I. S. nos. 24722, 24745.)

This action was based on interstate shipments of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On March 3, 1933, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Des Moines Cooperative Dairy Marketing Association, a corporation, Des Moines, Iowa, alleging shipment by said company in violation of the Food and Drugs Act, in part on or about May 18, and in part on or about May 27, 1931, from the State of Iowa into the State of Illinois, of quantities of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of Congress of March 4, 1923, which the article purported to be.

On May 2, 1933, a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$50 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

21110. Adulteration of tomato catsup. U. S. v. 111 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29860. Sample no. 28115-A.)

This case involved an interstate shipment of a quantity of tomato catsup which was found to contain excessive mold.

On February 20, 1933, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 111 cases of tomato catsup at El Paso, Tex., alleging that the article had been shipped in interstate commerce, on or about August 22, 1932, by the Perry Canning Co., from Ogden, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Mountain Made Brand Standard Catsup * * * Packed by Perry Canning Co., Perry, Utah."

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

On May 13, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*