18898. Adulteration of canned salmon. U. S. v. 588 Cases of Canned Red Salmon. Consent decree of condemnation and forfeiture. Product taken down under bond, the good portion released and the bad portion destroyed. (F. & D. No. 26985. I. S. No. 22352. S. No. 5193.)

Samples of canned salmon from the shipment herein described having been found to be stale and tainted, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On September 22, 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 588 cases of canned red salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Bay View Packing Co., Klawock, Alaska, on or about August 16, 1931, and had been transported from Alaska into the State of Washington, 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 consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On October 10, 1931, R. P. Peratovich, trading as the Bay View Packing Co., Klawock, Alaska, 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 $1,000, conditioned in part that the good portion be separated from the bad portion under the supervision of this department, and that the article should not be sold or otherwise disposed of contrary to law. The decree further provided that the bond be canceled upon the furnishing by claimant of satisfactory evidence that the portion of the product which was adulterated, filthy, decomposed, and putrid had been destroyed in the process of the said separation.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18899. Adulteration of apples. U. S. v. 756 Boxes of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27015. I. S. No. 39495. S. No. 5239.)

Examination of apples from the shipment herein described having shown the presence of lead arsenate on the surface of the said apples, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On September 29, 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 756 boxes of apples, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the American Fruit Growers (Inc.), from Wenatchee, Wash., on or about September 15, 1931, and had been transported from the State of Washington into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Fancy Grown by Birchmont Orchards Skookum Fancy Blue Goose Shipped by American Fruit Growers Inc., District of Wenatchee, Washington. * * * Skookum Packers Association, Wenatchee, Washington. * * * Distributed by Northwestern Fruit Exchange, Wenatchee, Washington."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, lead arsenate, which might have rendered it injurious to health.

On October 19, 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.*

18900. Adulteration of herring. U. S. v. 600 Pounds of Herring. Default decree of destruction entered. (F. & D. Nos. 27020, 27021. I. S. Nos. 40949, 40950. S. Nos. 5237, 5243.)

The herring in the shipments herein described having been found to be infested with worms, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Kentucky.

On October 1, 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 600 pounds of herring, remaining unsold in the original packages at Covington, Ky., consigned by the Hogstad Fish Co., Duluth, Minn., Sep-