

demnation of 366 cans of frozen eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Robinson-Hoban Co., from Duluth, Minn., on or about November 22, 1929, to Buffalo, N. Y., and reshipped from said Buffalo to New York, N. Y., on or about March 13, 1930, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Robinson-Hoban Co. Chicago * * * Mixed Egg."

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

On July 18, 1930, the Merchants Refrigerating Co., New York, N. Y., having admitted the allegation 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 delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,300, conditioned in part that the good portion be separated from the bad portion, and the former released and the latter destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17553. Adulteration of canned tuna. U. S. v. 75 Cases of Canned Tonno, et al. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 24450, 24451. I. S. Nos. 030142, 030143. S. Nos. 2725, 2726.)

Samples of canned tuna from the herein described interstate shipments having been found to contain decomposed fish, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Pennsylvania.

On January 17, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 124 cases of canned tonno, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Southern California Fish Corporation, Terminal Island, Calif., alleging that the article had been shipped from Terminal Island, Calif. (Los Angeles Harbor), on or about December 9, 1929, and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Marca Rosa Tonno Fish * * * Packed for G. F. Philadelphia, Pa." The remainder of the said article was labeled in part: "Italy Brand Tonno Tuna Italian Style * * * Southern California Fish Corp., Packers, Terminal Island, Calif."

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

On June 30, 1930, Louis A. Ludwig & Co., having appeared as claimant for the property, judgments of condemnation and forfeiture were 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 bonds totaling \$2,200, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17554. Misbranding of butter. U. S. v. 30 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24901. I. S. No. 037976. S. No. 3178.)

Samples of butter from the herein described interstate shipment having been found to be short weight, the Secretary of Agriculture reported the facts to the United States attorney for the District of Maryland.

On June 6, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 30 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the De Soto Creamery & Produce Co., Minneapolis, Minn., from Chicago, Ill., and had been transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Superior Creamery Packed exclusively for Blatter Bros. * * * 1 Lb. Net Weight."

It was alleged in the libel that the article was misbranded in that the statement "1 Lb. Net Weight," borne on the label, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On June 12, 1930, the De Soto Creamery & Produce Co., Minneapolis, Minn., having appeared as claimant for the property, 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 disposed of until relabeled to comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17555. Adulteration and misbranding of grape juice. U. S. v. 63 Cases of Grape Juice. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24776. I. S. Nos. 010924, 018659. S. No. 3140.)

An examination of grape juice from the herein described interstate shipment having shown that it contained added sugar and water and that it was contained in gallon-jugs, labeled in part, "32-Fluid Oz.," the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of California.

On May 21, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 63 cases, each containing four 1-gallon jugs of grape juice, remaining in the original unbroken packages at Glendale, Calif., consigned by the Dickinson Co., Oswego, Oreg., alleging that the article had been shipped from Portland, Oreg., on or about February 18, 1930, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cases) "4 1-Gallon;" (jug) "Dickinson's Home Made 32 Fluid Oz. Grape Juice * * * The Dickinson Co., Oswego, Oregon."

It was alleged in the libel that the article was adulterated in that added sugar and water had been mixed and packed with and substituted in part for grape juice.

Misbranding was alleged for the reason that the designation "Grape Juice" was false and misleading and deceived and misled the purchaser when applied to an article containing added sugar and water. Misbranding 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 package, since the statement made was not correct.

On June 30, 1930, the Dickinson Co., Oswego, Oreg., 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 the payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled under the supervision of this department so that it conform with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17556. Adulteration of canned tuna. U. S. v. 23 Cases of Canned Tuna. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24438. I. S. No. 021947. S. No. 2700.)

Samples of canned tuna from the herein described interstate shipment having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On January 14, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 cases of canned tuna, remaining in the original and unbroken packages at Boston, Mass., alleging that the article had been shipped by the Halfhill Co., from Los Angeles, Calif., on or about October 17, 1929, and had been transported from the State of California into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Liguria Brand Tuna * * * Packed by Halfhill Packing Corporation Incorporated, Long Beach, California, 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 June 30, 1930, 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.*