

July 11, 1930, and had been transported from the State of Mississippi into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the print butter was labeled in part: (Retail carton) "Bossie's Best 4 B's Brand Butter \* \* \* Aberdeen Creamery Co., Pasteurized Butter."

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

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On August 6, 1930, the Kent Dairy Products Corp. (Inc.), Kentwood, La., 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 \$7,600, conditioned in part that it be reworked under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17684. Adulteration of canned peas. U. S. v. 754 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24943. I. S. No. 431. S. No. 3315.)**

Samples of canned peas from the herein described interstate shipment having been found to contain thistle buds, flower buds, pods and stems, weed seed, stones, and other trash, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On August 8, 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 754 cases of canned peas, remaining in the original unbroken packages at Denver, Colo., consigned by the Oostburg Canning Co., Oostburg, Wis., alleging that the article had been shipped from Oostburg, Wis., on or about July 14, 1930, and had been transported from the State of Wisconsin into the State of Colorado, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a mixture of trash and peas had been substituted for canned peas. Adulteration was alleged for the further reason that the article consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 19, 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.*

**17685. Adulteration of canned peaches. U. S. v. 400 Cases, et al., of Canned Peaches. Decree of condemnation and forfeiture. Product released under bond for use as moth bait. (F. & D. No. 24752. I. S. Nos. 033906, 033907. S. No. 3096.)**

Samples of canned peaches from the herein described interstate shipment having been found to contain decomposed fruit, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Tennessee.

On May 9, 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 567 cases of canned peaches at Memphis, Tenn., consigned about January 4, 1930, alleging that the article had been shipped by the A. J. Evans Marketing Agency, from Fort Valley, Ga., and had been transported from the State of Georgia into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Blue Seal Brand [or "Setter Brand"] \* \* \* Packed By Evans Canning Company Fort Valley, Ga.;" and "Sunny South Brand \* \* \* Packed By Elberta Canning Co. Fort Valley, Georgia."

It was alleged in the libel that the article was adulterated in that it consisted partly of a filthy, decomposed, or putrid vegetable substance.

On July 21, 1930, the Evans Canning Co., Fort Valley, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$1,291, conditioned in part that it be used for moth bait.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17686. Adulteration of canned sardines. U. S. v. 1000 Cases, et al., of Canned Sardines. Default decree of destruction entered. (F. & D. Nos. 24258, 24322. I. S. Nos. 016822, 021663. S. Nos. 2491, 2570.)**

Samples of canned sardines from the herein described interstate shipments having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Georgia.

On November 16 and December 18, 1929, respectively, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 1,068 cases of canned sardines, remaining in the original unbroken packages, in part at Savannah, Ga., and in part at Dublin, Ga., alleging that the article had been shipped by the Gurnet Fisheries Co., in two consignments, from Boston, Mass., and Plymouth, Mass., respectively, between the approximate dates of September 25 and October 3, 1929, and had been transported from the State of Massachusetts into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gurnet Brand American Sardines \* \* \* Packed by The Gurnet Fisheries Co., Plymouth, Mass."

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

On September 15, 1930, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal, and that the Gurnet Fisheries Co., Plymouth, Mass., pay all costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17687. Adulteration and misbranding of butter. U. S. v. 5 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24985. I. S. No. 027443. S. No. 3221.)**

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On June 23, 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 5 cases of butter, remaining in the original unbroken packages at Boston, Mass., consigned about June 11, 1930, alleging that the article had been shipped by the Gulf Road Cooperative Creamery Co., East Randolph, Vt., and had been transported from the State of Vermont into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Carton) "Fancy Creamery Butter \* \* \* Packed for S. S. Pierce Co."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

Misbranding was alleged for the reason that the article was labeled as butter, which was false and misleading, since it contained less than 80 per cent of milk fat.

On August 25, 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.*

**17688. Adulteration of canned salmon. U. S. v. 5424 Cartons, et al., of Salmon. Decree of condemnation. Product released under bond. (F. & D. No. 25139. I. S. Nos. 1176, 1177. S. No. 3391.)**

Samples of canned salmon 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 Western District of Washington.