

**17805. Adulteration of canned sardines. U. S. v. 75 Cases of Sardines. Default decree of condemnation and destruction. (F. & D. Nos. 25066, 25067. I. S. No. 19776. S. No. 3351.)**

Samples of canned sardines 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 Southern District of Texas.

On August 27, 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 75 cases of sardines, remaining in the original packages in part at Laredo, Tex., and in part at Beeville, Tex., alleging that the article had been shipped by R. J. Peacock Canning Co., from Eastport, Me., on or about June 23, 1930, and had been transported from the State of Maine into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Admiral Brand American Sardines \* \* \* Packed by R. J. Peacock Canning Co., Lubec, Maine."

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

On October 9, 1930, no claimant having appeared for the property, judgment of condemnation 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.*

**17806. Adulteration of string Greek figs. U. S. v. 491 Cases of String Greek Figs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25305. I. S. No. 5148. S. No. 3563.)**

Samples of the string Greek figs from the herein-described interstate shipment having been found to contain wormy and moldy fruit, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On November 7, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 491 cases of string Greek figs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Banca Commerciale Italiana Trust Co., New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about October 13, 1930, and transported from the State of New York into the State of Pennsylvania, and charging adulteration of the food and drugs act.

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

On December 22, 1930, Louis A. Ludwig & Co., Philadelphia, Pa., claimants, 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 claimants upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be salvaged under the supervision of this department, the good portion released and the unfit portion destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17807. Adulteration of scallops. U. S. v. Wallace M. Quinn (The Wallace M. Quinn Co.). Plea of guilty. Fine, \$1,000. (F. & D. No. 25014. I. S. Nos. 02400, 028583, 028622, 028624, 028653, 028654.)**

Samples of scallops from the herein-described interstate shipments having been found to contain added water, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On October 10, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Wallace M. Quinn, trading as the Wallace M. Quinn Co., New Bedford, Mass., alleging shipment by said defendant, in violation of the food and drugs act, on or about November 7 and November 20, 1929, from the State of Massachusetts into the State of New York, and on or about November 22, 1929, from the State of Massachusetts into the State of South Carolina, of quantities of scallops which were adulterated.

It was alleged in the information that the article was adulterated in that added water had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength; in that added water had been

substituted in part for scallops which the article purported to be; and in that scallop solids, a valuable constituent of the article, had been in part abstracted.

On November 10, 1930, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1,000.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17808. Adulteration of canned sardines. U. S. v. 26 Cases of Canned Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25170. I. S. No. 5937. S. No. 3413.)**

Samples of canned sardines from the herein-described interstate shipment having been found to contain diseased fish, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of North Carolina.

On September 29, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 26 cases of canned sardines, remaining in the original unbroken packages at Charlotte, N. C., alleging that the article had been shipped by the Seacoast Canning Co., from Eastport, Me., on or about July 1, 1930, and had been transported from the State of Maine into the State of North Carolina, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Neptune Brand Maine Sardines \* \* \* Seacoast Canning Co., Eastport, Maine."

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

On December 3, 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.*

**17809. Misbranding of alfalfa meal. U. S. v. 400 Sacks of Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 25216. I. S. No. 92. S. No. 3489.)**

Samples of alfalfa meal from the herein-described interstate shipment having been found to contain less crude protein and more crude fiber than declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On November 3, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 400 sacks of alfalfa meal, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the California Hawaiian Milling Co., from San Francisco, Calif., on or about September 29, 1930, and had been transported from the State of California into the State of Massachusetts, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "C and H Brand Chicken Greens \* \* \* Analysis: Crude Protein, not less than 20%; \* \* \* Crude Fiber, not more than 18% \* \* \* California Hawaiian Milling Co., San Francisco, Calif."

It was alleged in the libel that the article was misbranded in that the statements on the label, "Crude Protein, not less than 20%, crude fiber, not more than 18%," were false and misleading and deceived and misled the purchaser, when applied to an article which contained less protein and more fiber than so represented.

On November 13, 1930, the California Hawaiian Milling Co., San Francisco, Calif., 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 released to the said claimant upon payment of costs and the deposit of cash bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department, with a statement of the correct protein and fiber content, namely, "Not less than 17% protein and not more than 20% fiber."

ARTHUR M. HYDE, *Secretary of Agriculture.*