

distinctive name of another article, to wit, grapefruit juice, which it purported solely to be; and for the further reason that the product was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement was made in terms of weight instead of liquid measure.

On July 1, 1931, the Dromedary Co., San Francisco, Calif., having appeared as claimant for the property 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 \$350, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18807. Adulteration of canned salmon. U. S. v. 29 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25825. I. S. No. 15728. S. No. 4061.)

Samples of salmon from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On January 28, 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 29 cases of canned salmon, remaining in the original unbroken packages at Fall River, Mass., alleging that the article had been shipped by the F. A. Gosse Co., from Seattle, Wash., on or about August 29, 1930, and had been transported from the State of Washington into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cases) "D. I. P. Co. Pink-81;" (cans) "Plymouth Brand Pink Salmon * * * Packed for National Wholesale Grocery Co. Inc., Fall River and New Bedford, Mass."

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

On August 17, 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.*

18808. Adulteration of canned prunes. U. S. v. 800 Cases of Canned Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25895. I. S. No. 20880. S. No. 4075.)

Samples of prunes from the shipment herein described having been found to be infected with brown rot, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On February 14, 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 800 cases of canned prunes, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Ray-Brown Co., from Woodburn, Oreg., on or about November 15, 1930, and had been transported from the State of Oregon into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Six tins number ten fresh seal brand fresh prunes packed by Ray-Brown Co. Inc. Woodburn Oregon U. S. A.;" (can) "Fresh Seal Fresh Prunes."

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

On April 2, 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.*

18809. Misbranding of maple sirup. U. S. v. 4 1/6 Cases of Maple Sirup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26471. I. S. No. 29971. S. No. 4763.)

Sample cans of maple sirup from the shipment herein described having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On June 5, 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 4½ cases of maple sirup, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped by Rigney & Co., Brooklyn, N. Y., on or about March 16, 1931, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can label) "Scott's De Luxe Pure Sap Maple Syrup John Scott & Co. Inc., Sole Distributors. Philadelphia, Pa. Contents 1 Flu. Gal.;" (stamped in tin) "1 U. S. Gal.;" (shipping box) "6 1-Gal. Cans Scott's De Luxe Pure Maple Syrup. John Scott & Co., Philadelphia, Pa."

Misbranding of the article was alleged in the libel for the reason that the statements, (can label) "1 Flu. Gal.," (stamped in tin) "1 U. S. Gal.," and (shipping box) "6 1-Gal.," were false and misleading and deceived and misled the purchaser. 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 July 24, 1931, John Scott & Co., Philadelphia, Pa., and Rigney & Co., New York, N. Y., having appeared as claimants 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 claimants upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be relabeled under the supervision of this department and should not be sold or otherwise disposed of contrary to the laws of the United States, or any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18810. Adulteration of catsup. U. S. v. 71 Cases of Catsup. Default decree of condemnation and forfeiture entered. (F. & D. No. 25638. I. S. No. 10857. S. No. 3898.)

Samples of catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Illinois.

On January 6, 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 71 cases of catsup, remaining in the original packages at Decatur, Ill., alleging that the article had been shipped by the Frazier Packing Co., Elwood, Ind., on or about October 11, 1930, and had been transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Bottles) "Golden Drip Net Cont. 8 Oz. Fancy Tomato Catsup."

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

On September 18, 1931, no claimant having appeared for the property, and the court having found that the allegations of the libel were true and that the product was subject to forfeiture to the United States, judgment was entered ordering that the said product be condemned and forfeited.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18811. Adulteration of fish (bluefins). U. S. v. 4 Boxes of Bluefins, et al. Default decrees of destruction entered. (F. & D. Nos. 26827, 26835, 26863. I. S. Nos. 25786, 36304, 37099. S. Nos. 5002, 5024, 5054.)

Samples of fish (bluefins) from 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 Southern District of Ohio.

On July 31, August 4, and August 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of nine boxes, each containing 100 pounds of fish (bluefins) at Cincinnati, Ohio, alleging that the article had been shipped by Sam Johnson & Sons (Fisheries), Duluth, Minn., in various consignments, on or about July 27, July 30, and August 6, 1931, and had been transported from the State of Minnesota into the State of Ohio, and charging adulteration in violation of the food and drugs act.

Adulteration was alleged in the libels for the reason that the article was infested with triaenophori (worms), and consisted wholly or partly of a filthy, decomposed, or putrid animal substance, and in that it was a portion of an animal unfit for food.