

Minn., alleging that the article had been shipped by Walter Diehnelt (Inc.), from Milwaukee, Wis., in part on or about November 15, 1929, and in part on or about September 30, 1930, and had been transported from the State of Wisconsin into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part, respectively: (Bottles) "W. D. Brand Sweet Pickles Purity Quality 16 Oz. Net W. Diehnelt Inc. Milwaukee, Wis.," and "W. D. Brand Sweet Relish Purity Quality 5 Ozs. Net W. Diehnelt Inc. Milwaukee, Wis."

It was alleged in the libel that the articles were misbranded in that the statements, "16 Oz. Net" and "5 Oz. Net" on the labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the quantities stated were not correct.

On November 10, 1931, no claimant having appeared for the property, judgment was entered ordering that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19118. Adulteration of canned shrimp. U. S. v. 2,555 Cases of Canned Shrimp. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27220. I. S. No. 279. S. No. 5392.)

Samples of canned shrimp 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 Northern District of California.

On November 10, 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 2,555 cases of canned shrimp, remaining in the original unbroken packages at San Francisco, Calif., consigned by the Texas Canning Co., Galveston, Tex., alleging that the article had been shipped on or about October 10, 1931, from Galveston, Tex., and had been transported in interstate commerce from the State of Texas into the State of California, 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 part of a decomposed and putrid animal substance.

On November 23, 1931, the Texas Canning Co., Galveston Tex., 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 \$5,000, conditioned in part that it should not be sold or disposed of contrary to the provisions of the food and drugs act or amendments thereof, or to the laws of any State, Territory, district, or insular possession, and further that it be made to conform with the law under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19119. Adulteration of cabbage. U. S. v. 7 Hampers of Cabbage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27355. I. S. No. 43651. S. No. 5561.)

Arsenic having been found on samples of cabbage taken from the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On December 10, 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 seven hampers of cabbage, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Sam Brown, Martin's Point, S. C., from Charleston, S. C., on or about December 5, 1931, and had been transported from the State of South Carolina into the State of New York, 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 contained an added poisonous ingredient, to wit, arsenic, which might have rendered it injurious to health.

On December 30, 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.*