

19824. Adulteration of canned tuna. U. S. v. 24½ Cases of Canned Tuna. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27814. I. S. No. 43155. S. No. 5920.)

This action involved the interstate shipment of a quantity of canned tuna, samples of which were found to be partly decomposed.

On March 5, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24½ cases of canned tuna, remaining in the original unbroken packages at Lancaster, Pa., alleging that the article had been shipped in interstate commerce on or about February 4, 1932, by the Van Camp Sea Food Co. (Inc.), from Terminal Island, Calif., to Lancaster, Pa., and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Chicken of the Sea Brand * * * Fancy Tuna * * * Packed by Van Camp Sea Food Company, Inc. * * * Los Angeles Harbor Calif."

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

On May 17, 1932, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19825. Adulteration of slab prunes. U. S. v. 137 Boxes of Slab Prunes. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 27795. I. S. No. 43143. S. No. 5896.)

This action involved the interstate shipment of a quantity of slab prunes, samples of which were found to be wormy, decomposed, and filthy.

On February 27, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 137 boxes of slab prunes, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about January 19, 1932, by Rosenberg Bros. & Co., from San Francisco, Calif., to Philadelphia, Pa., and charging adulteration in violation of the food and drugs act. The article was labeled in part: "E-Z Slab Prunes * * * California Slab Prunes."

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

On May 24, 1932, the seizure being uncontested by the sole intervener, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19826. Adulteration of butter. U. S. v. 23 Cubes, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. No. 28285. I. S. Nos. 23514, 23516. S. No. 6104; and 1701-A. F. & D. No. 28286.)

These actions involved the interstate shipment of quantities of butter, samples of which were found to contain less than 80 per cent by weight of milk fat, the standard for butter prescribed by Congress.

On April 15 and on April 18, 1932, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 63 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, in part on or about April 11, 1932, and in part on or about April 13, 1932, by the Wilcox Produce (Inc.), from Portland Oreg., to Seattle, Wash., and charging adulteration in violation of the food and drugs act.

It was alleged in the libels 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 of milk fat as provided by law.

On April 22 and April 27, 1932, the Wilcox Produce Co., of Portland, Oreg., and the Fox River Butter Co. (Inc.), of Seattle, Wash., having appeared as claimants for respective portions of the product and having admitted the allega-