

20777. Adulteration and misbranding of canned salmon. U. S. v. 103 Cases of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29753. Sample nos. 26264-A, 33196-A.)

This case involved a quantity of canned salmon that was in part decomposed. The article was falsely branded as to the name of the packer and the place of manufacture.

On January 14, 1933, the United States attorney for the Eastern District of Louisiana, 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 103 cases of canned salmon at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about September 11, 1932, by P. E. Harris & Co., from Seattle, Wash., to New Orleans, La., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Belleanna Brand Alaska Fancy Pink Salmon Packed and Guaranteed by New England Fish Company, Seattle, Washington."

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

Misbranding was alleged for the reason that the statement on the label, "Packed * * * by New England Fish Company, Seattle, Washington", was false and misleading and deceived and misled the purchaser, since it was packed by the Standard Packing Co., Shepard Point, Alaska.

On February 26, 1933, the Standard Packing Co., a corporation of the State of Washington, having appeared as claimant 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 claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20778. Adulteration of dried grapes. U. S. v. 100 Cases of Dried Grapes. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29847. Sample no. 22664-A.)

This case involved a quantity of dried grapes that were found to be insect-infested and dirty.

On February 14, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 100 cases of dried grapes at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 4, 1933, by the National Grocery Co., from San Francisco, Calif., to Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Federal Brand Dried Alicante Black Grapes Packed By Federal Fruit Distributors, Fresno, Calif."

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

On March 20, 1933, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20779. Adulteration and misbranding of frozen strawberries. U. S. v. 125 Cans of Frozen Strawberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29843. Sample no. 24322-A.)

This case involved an interstate shipment of frozen strawberries that were in part moldy. The containers failed to bear a statement of the quantity of the contents as required by law.

On February 10, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 125 cans of frozen strawberries at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about August 23, 1932, by S. A. Moffett Co., from Seattle, Wash., to Los Angeles, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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