

Food and Drugs Act as amended. The article was labeled in part: (Cans) "Valencia Orange Juice Net Contents 1 Pt. 4 Fl. Oz. [or "8 Fl. Oz.]" Hansen & Choate Products Company, Los Angeles, California."

It was alleged in the libel that the article was misbranded in that the statements, "1 Pt. 4 Fl. Oz." and "8 Fl. Oz.", were false and misleading and deceived and misled the purchaser; and 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 packages, since the statements made were incorrect. Misbranding was alleged for the further reason that the article was canned food and fell below the standard of fill of container promulgated by the Secretary of Agriculture, and its package or label did not bear a plain and conspicuous statement indicating that it fell below such standard.

On April 1, 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 delivered to charitable institutions.

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

20798. Adulteration of canned salmon. U. S. v. 285 Cases of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29752. Sample nos. 16766-A, 16773-A.)

This case involved an interstate shipment of canned salmon that was in part decomposed.

On January 24, 1933, the United States attorney for the Southern District of Texas, 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 285 cases of canned salmon at Houston, Tex., consigned by McGovern & McGovern, Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 11, 1932, from Seattle, Wash., to Houston, Tex., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Floer Select Pink Salmon Packed by Shepard Point Packing Co."; (can) "Floer Brand Pink Salmon."

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 March 6, 1933, the Standard Packing Co., a corporation of the State of Washington, 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 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 disposed of in violation of the Federal Food and Drugs Act and all other laws.

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

20799. Adulteration and misbranding of Swiss cheese. U. S. v. 3 Cheeses. Default decree of condemnation and forfeiture. Product delivered to charitable institutions. (F. & D. no. 29706. Sample no. 33012-A.)

This case involved an interstate shipment of Swiss cheese that was deficient in fat.

On December 31, 1932, the United States attorney for the Western District of New York filed in the District Court of the United States a libel praying seizure and condemnation of three cheeses at Buffalo, N.Y., consigned by the Triangle Cheese Co., Monroe, Wis., alleging that the article had been shipped in interstate commerce on or about November 26, 1932, from Monroe, Wis., to Buffalo, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was invoiced "Swiss Cheese."

It was alleged in the libel that the article was adulterated in that a substance deficient in fat had been substituted for Swiss cheese, which the article purported to be.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, Swiss cheese.

On March 21, 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 delivered to a charitable institution.

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