

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of Congress of March 4, 1923.

On August 7, 1934, the Globe Creamery Co., Luxemburgh, Iowa, claimant, having admitted the allegations of the libel 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 claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23939. Adulteration of canned shrimp. U. S. v. 99 Cases and 898 Cases of Canned Shrimp. Decree of condemnation and forfeiture. Product released under bond for separation and destruction of unfit portion. (F. & D. no. 33519. Sample nos. 11330-B, 11331-B, 14353-B, 14354-B.)**

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed.

On September 28, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 997 cases of canned shrimp at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about August 30, 1934, by the Robinson Canning Co., Inc., a corporation, from New Orleans, La., and charging adulteration of the Food and Drugs Act. The article was labeled in part: "Grand Isle [or "Salad Brand"] \* \* \* Shrimp \* \* \* Packed by Robinson Canning Co. Inc."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On December 19, 1934, the Robinson Canning Co., Inc., New Orleans, La., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released under bond conditioned that the unfit portion be segregated and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23940. Adulteration and misbranding of canned tuna. U. S. v. 50 Cases of Canned Tuna. Default decree of condemnation and destruction. (F. & D. no. 33578. Sample no. 3946-B.)**

This case was based on an interstate shipment of a product labeled "Fancy Tuna." Examination showed that it was in part decomposed and was not Fancy quality.

On September 29, 1934, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 cases of canned tuna at Houston, Tex., consigned by the French Sardine Co., Inc., Terminal Island, Calif., alleging that the article had been shipped in interstate commerce on or about August 16, 1934, from Los Angeles, Calif., into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Eatwell Brand Fancy Tuna \* \* \* French Sardine Co."

The article was alleged to be adulterated in that it consisted in part of a decomposed and putrid animal substance.

Misbranding was alleged for the reason that the statement "Fancy Tuna", borne on the label, was false and misleading and tended to deceive and mislead the purchaser.

On December 12, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23941. Adulteration of canned shrimp. U. S. v. 1,000 Cases and 100 Cases of Canned Shrimp. Decrees of condemnation and forfeiture. Portion released under bond; remainder destroyed. (F. & D. nos. 33591, 33687. Sample nos. 4036-B, 11375-B.)**

These cases involved interstate shipments of canned shrimp which was found to be in part decomposed.

On or about October 1 and October 13, 1934, the United States attorneys for the Districts of Massachusetts and Maryland, acting upon reports by the