

On July 16, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be distributed to charitable institutions.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24814. Adulteration of canned shrimp. U. S. v. 719 Cases, et al., of Canned Shrimp. Decrees of condemnation and forfeiture. Product released under bond for segregation and destruction of decomposed portions.** (F. & D. nos. 33539, 33637, 33684. Sample nos. 4030-B, 4031-B, 14458-B, 14460-B, 14461-B.)

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

On September 24, October 8, and October 11, 1934, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,264 cases of canned shrimp at Boston, Mass., alleging that the article had been shipped in interstate commerce in various lots on or about September 6 and September 13, 1934, by the Braun Canning Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled, variously: "Honey Island Brand Shrimp \* \* \* Packed by Garner Packing Co. Inc. Gulfport, Mississippi"; "Braun's Fancy Shrimp \* \* \* Packed by Braun Canning Co. New Orleans, La."

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

On June 19 and 20, 1935, the Braun Canning Co., Inc., having appeared as claimant for the property and having admitted the allegations of the libel, judgments of condemnation were entered and it was ordered that the product be released under bond conditioned that the decomposed portions be segregated and destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24815. Misbranding of olive oil. U. S. v. Antonio Corrao (A. Corrao). Plea of guilty. Fine, \$100.** (F. & D. no. 33771. Sample no. 67412-A.)

This case was based on an interstate shipment of olive oil which was short volume.

On May 13, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Antonio Corrao, trading as A. Corrao, New York, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about February 1, 1934, from the State of New York into the State of New Jersey of a quantity of olive oil which was misbranded. The article was labeled in part: "One Gallon Net La Prosperita Brand Olio D'Oliiva \* \* \* D. Prospero Newark, N. J."

The article was alleged to be misbranded in that the statement on the can label, "One Gallon Net", was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the cans contained less than 1 gallon of the article. Misbranding was alleged 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 package, since the statement was incorrect.

On July 22, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$100.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24816. Adulteration and misbranding of butter. U. S. v. Finke Creamery Co. Plea of guilty. Fine, \$20 and costs.** (F. & D. no. 33774. Sample no. 66742-A.)

This case involved an interstate shipment of butter which was deficient in milk fat.

On October 19, 1934, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Finke Creamery Co., a corporation, Scottsbluff, Neb., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 1, 1934, from the State of Nebraska into the State of Wyoming of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "Scottsbluff Brand \* \* \* Made by Finke Creamery Co. Creamery Butter Sidney, Neb. Scottsbluff, Neb."

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