

26029. Misbranding of oysters. U. S. v. 357 Cans of Oysters. Default decree of condemnation and destruction. (F. & D. no. 37391. Sample nos. 68170-B, 68171-B.)

This case involved a shipment of oysters that was short in volume.

On March 19, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 357 cans of oysters at Portsmouth, Ohio, alleging that the article had been shipped in interstate commerce on or about March 10, 1936, by the Roaring Point Oyster Co., from Nanticoke, Md., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Salt Water Oysters One Pint Net."

The article was alleged to be misbranded in that the statement "One Pint Net" was false and misleading and tended to deceive and mislead the purchaser; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On May 19, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26030. Adulteration of cheese. U. S. v. 56 Cheeses. Default decree of condemnation and destruction. (F. & D. no. 37392. Sample no. 55672-B.)

This case involved a shipment of cheese that contained insect debris, rodent hairs, and nondescript dirt.

On March 20, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 56 cheeses, unlabeled, at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 2, 1936, by Sam Konugres, from Trinidad, Colo., and charging adulteration in violation of the Food and Drugs Act.

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

On June 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26031. Adulteration of shelled walnuts. U. S. v. 900 Cases of Shelled Walnuts. Consent decree of condemnation. Product ordered released under bond. (F. & D. no. 37403. Sample no. 65283-B.)

This case involved shipment of shelled walnuts that were in part moldy, insect-eaten, rancid, and decomposed.

On March 19, 1936, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 900 cases of shelled walnuts at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about March 16, 1936, by Edward Jensen & Co., from Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On April 17, 1936, Herman C. Fisher Co., San Francisco, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it not be disposed of in violation of the Food and Drugs Act.

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

26032. Adulteration of canned salmon. U. S. v. 12,193 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 37407. Sample nos. 54394-B, 65036-B, 65144-B.)

This case involved an interstate shipment of canned salmon examination of which showed the presence of decomposed salmon.

On March 20, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12,193 cases