

in violation of the Food and Drugs Act. The article was labeled in part: "Booth's Crescent Brand Spring Pack Shad Packed at Pittsburg, Calif."

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

On February 8, 1939, the cases having been consolidated and C. P. Dorr, San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30178. Misbranding of cottonseed meal. U. S. v. Transit Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 42572. Sample No. 4150-D.)

This product contained a smaller percentage of crude protein than that declared on the label.

On October 3, 1938, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Transit Milling Co., a corporation, Sherman, Tex., alleging shipment by said company in violation of the Food and Drugs Act on or about April 20, 1938, from the State of Texas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "'Army' Brand Prime Quality 43% Protein Cottonseed Cake and Meal Manufactured For and Guaranteed By Louis Tobian & Company, Dallas, Texas."

Misbranding was alleged in that the statement "Crude Protein, not less than 43.00%," borne on the label, was false and misleading and was borne on the said label so as to deceive and mislead the purchaser, since the article contained less than 43 percent of crude protein.

On November 28, 1938, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30179. Adulteration of canned salmon. U. S. v. Libby, McNeill & Libby. Plea of guilty. Fine, \$100 and cost. (F. & D. No. 39450. Sample Nos. 23743-C, 23766-C, 23787-C, 23796-C.)

This product was in whole or in part decomposed.

On June 30, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Libby, McNeill & Libby, a corporation, trading at Seattle, Wash., alleging shipment by said company in violation of the Food and Drugs Act, on or about September 24, 1936, from Craig, Alaska, into the State of Washington of a number of cases of canned salmon which was adulterated. A portion of the cases were labeled in part: "Happy-Vale Brand Pink Salmon Emery Food Co." The cans were unlabeled.

Adulteration was alleged in that the article consisted in whole and in part of a decomposed animal substance.

On January 21, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30180. Adulteration of canned oysters. U. S. v. 795 Cases of Oysters. Consent decree of condemnation. Product released under bond conditioned that unfit portion be destroyed. (F. & D. Nos. 44731, 44732. Sample Nos. 49978-D, 49979-D, 50225-D.)

This product was in part decomposed.

On January 26, 1939, The United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 795 cases of canned oysters at Harvey, La.; alleging that the article had been shipped in interstate commerce within the period from on or about March 5, 1938, to on or about May 17, 1938, by the Southern Shell Fish Co. from Biloxi, Miss.; and charging adulteration in violation of the Food and Drugs Act.

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

On February 10, 1939, the Southern Shell Fish Co., Harvey, La., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the decomposed portion be segregated and destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*