

ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled so that it comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17047. Adulteration of walnut meats. U. S. v. 22 Cartons, et al., of Walnut Meats. Consent decrees of condemnation. Product released under bond. (F. & D. Nos. 23672, 23673. I. S. Nos. 07122, 07123. S. Nos. 1888, 1889.)

On April 26, 1929, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 72 cartons of walnut meats, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Leon Mayer, Los Angeles, Calif., on or about April 9, 1929, and transported from the State of California into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Order Leon Mayer * * * Los Angeles Cal * * * Special Standard Amber Pieces."

It was alleged in the libels that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 23, 1929, Leon Mayer, Los Angeles, Calif., having appeared as claimant for the property, and having consented to the entry of decrees, judgments of condemnation were entered, and it was ordered by the court that the product be released to the said claimant to be reconditioned, repacked, and relabeled, under the supervision of this department, upon payment of costs and the execution of bonds totaling \$1,500, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17048. Adulteration and misbranding of canned peas. U. S. v. 60 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24100. I. S. No. 019555. S. No. 2327.)

On October 8, 1929, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 60 cases of canned peas, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Morris Brokerage & Salvage Co., from Chicago, Ill., August 20, 1929, and transported from the State of Illinois into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Commerce Brand Wisconsin Size 5 Sweet Variety Peas * * * Packed By The Johannes Pure Food Co. Inc. Port Washington, Wis."

It was alleged in the libel that the article was adulterated in that a foreign vegetable substance, thistle buds, had been substituted in part for the said article, and had been mixed and packed with it so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statement on the label, "Sweet Variety Peas," was false and misleading and deceived and misled the purchaser.

On January 9, 1930, 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 destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17049. Adulteration of canned salmon. U. S. v. 286 Cases of Canned Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24330. I. S. No. 015212. S. No. 2600.)

On December 12, 1929, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 286 cases of canned salmon, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Whitney Ellsworth Co., from Seattle, Wash., on or about October 16, 1929, and transported from the State of Washington into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Sun Bonnet Brand Alaska Pink Salmon * * * Gorman and Company Packers and Distributors Seattle U. S. A."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On January 24, 1930, the Alaska Year Round Canneries Co., Seattle, Wash., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or disposed of until made to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17050. Misbranding of flour. U. S. v. 500 Sacks of Flour. Decree of condemnation. Product released under bond. (F. & D. No. 24482. I. S. No. 026926. S. No. 2745.)

On or about January 24, 1930, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 sacks of flour, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the G. B. R. Smith Milling Co., Sherman, Tex., on or about December 28, 1929, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Sack) "Smith's Best 95% Patent Soft Winter Wheat Flour Unbleached Manufactured * * * G. B. R. Smith Milling Company Sherman—Texas."

It was alleged in the libel that the article was misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 31, 1930, the G. B. R. Smith Milling Co., Sherman, Tex., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,000, conditioned in part that it be relabeled, under the supervision of this department, with the correct weight.

ARTHUR M. HYDE, *Secretary of Agriculture.*