

the court that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,291, conditioned in part that it be used for moth bait.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17686. Adulteration of canned sardines. U. S. v. 1000 Cases, et al., of Canned Sardines. Default decree of destruction entered. (F. & D. Nos. 24258, 24322. I. S. Nos. 016822, 021663. S. Nos. 2491, 2570.)

Samples of canned sardines from the herein described interstate shipments having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Georgia.

On November 16 and December 18, 1929, respectively, the said United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 1,068 cases of canned sardines, remaining in the original unbroken packages, in part at Savannah, Ga., and in part at Dublin, Ga., alleging that the article had been shipped by the Gurnet Fisheries Co., in two consignments, from Boston, Mass., and Plymouth, Mass., respectively, between the approximate dates of September 25 and October 3, 1929, and had been transported from the State of Massachusetts into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gurnet Brand American Sardines * * * Packed by The Gurnet Fisheries Co., Plymouth, Mass."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On September 15, 1930, no claimant having appeared for the property, judgments were entered ordering that the product be destroyed by the United States marshal, and that the Gurnet Fisheries Co., Plymouth, Mass., pay all costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17687. Adulteration and misbranding of butter. U. S. v. 5 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24985. I. S. No. 027443. S. No. 3221.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirement of milk fat, namely, less than 80 per cent of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On June 23, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 5 cases of butter, remaining in the original unbroken packages at Boston, Mass., consigned about June 11, 1930, alleging that the article had been shipped by the Gulf Road Cooperative Creamery Co., East Randolph, Vt., and had been transported from the State of Vermont into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Carton) "Fancy Creamery Butter * * * Packed for S. S. Pierce Co."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter which the said article purported to be, the act of Congress approved March 4, 1923, providing that butter contain not less than 80 per cent by weight of milk fat.

Misbranding was alleged for the reason that the article was labeled as butter, which was false and misleading, since it contained less than 80 per cent of milk fat.

On August 25, 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.*

17688. Adulteration of canned salmon. U. S. v. 5424 Cartons, et al., of Salmon. Decree of condemnation. Product released under bond. (F. & D. No. 25139. I. S. Nos. 1176, 1177. S. No. 3391.)

Samples of canned salmon from the herein described interstate shipment having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.