

On September 15, 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 5,575 cartons, each containing 48 cans of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Wrangell Narrows Packing Co., from Doyhof, Alaska, in various consignments, on or about August 11 and August 16, 1930, and had been transported from Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Carton) "Eat More Salmon."

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

On September 30, 1930, the West Sales (Inc.), Seattle, Wash., having appeared as claimant for the property and having admitted the allegation of the libel, paid costs and filed a bond in the sum of \$5,000, conditioned that the product should not be sold contrary to law, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant and reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17689. Misbranding of vegetable oil. U. S. v. 45 Cases (Cans) of Vegetable Oil. Default decree of condemnation and forfeiture. Product ordered destroyed or delivered to charitable institutions. (F. & D. No. 24980. I. S. No. 962. S. No. 3330.)

Samples of vegetable oil, alleged to be flavored with olive oil, from the herein described interstate shipment having been found to contain no flavor of olive oil, and certain cans having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the District of Oregon.

On August 11, 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 45 cases (cans) of vegetable oil, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by Monteverde, Rolandelli and Parodi (Inc.), from San Francisco, Calif., on or about May 22, 1930, and had been transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cans) "Net Contents One Gallon Pure Vegetable Oil Flavored with Olive Oil * * * Montola Superfine Full Measure. This oil is packed and guaranteed by Monteverde, Rolandelli and Parodi, Inc., San Francisco, California."

It was alleged in the libel that the article was misbranded in that the statements, "Flavored with Olive Oil," "Full Measure," and "Net Contents One Gallon," borne on the can labels, were false and misleading and deceived and misled the purchaser when applied to an article which had no flavor of olive oil, and which was short of the declared volume. 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 made was not correct.

On September 8, 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 or distributed to some hospital or charitable institution.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17690. Adulteration and misbranding of butter. U. S. v. 76 Tubs of Butter. Product ordered released under bond to be reworked. (F. & D. No. 25286. I. S. No. 035013. S. No. 3358.)

Samples of butter from the herein described interstate shipment having been found to contain less than the legal requirements of milk fat, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On July 2, 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 76 tubs of butter, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Producers Creamery Co., from Clinton, Mo., on June 20, 1930, and had been transported from the State of Missouri into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act.

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

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 14, 1930, the Land O'Lakes Creameries (Inc.), Minneapolis, Minn., claimant, having admitted the allegations of the libel and having consented to the condemnation and forfeiture of the product, a decree was entered ordering that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be reworked under the supervision of this department so that it comply with the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17691. Adulteration and misbranding of butter. U. S. v. 190 Tubs of Butter. Product ordered released under bond to be reconditioned. (F. & D. No. 24046. I. S. No. 09143. S. No. 2143.)

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 Eastern District of Michigan.

On July 25, 1929, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 190 tubs of butter at Detroit, Mich., alleging that the article had been shipped by the Paden Thompson Produce Co., Dodge City, Kans., July 15, 1929, and transported from the State of Kansas into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act.

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

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On August 2, 1929, the Paden Thompson Produce Co., a Kansas corporation, having appeared as claimant for the property, a decree was entered ordering that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$3,500, conditioned in part that it be reconditioned under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17692. Adulteration of blueberries. U. S. v. 20 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25267. I. S. No. 3010. S. No. 3360.)

Samples of blueberries from the herein described interstate shipment having been found to contain maggots, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On August 19, 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 20 crates of blueberries, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Charles A. Helein, from Rockland, Me., August 18, 1930, and had been transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

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

On September 10, 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.*

17693. Adulteration of apple flour. U. S. v. Ten 100-Pound Sacks, et al., of Apple Flour. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24932. I. S. No. 385. S. No. 3277.)

Samples of apple flour from the herein described interstate shipment having been found to contain arsenic and lead, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.