

18788. Adulteration of canned salmon. U. S. v. 367 Cases, et al., of Canned Salmon. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 25147, 25150. I. S. Nos. 1078, 1079, 1080, 1082, 1180. S. Nos. 3408, 3419.)

Samples of canned salmon from the shipments herein described having been found to be tainted, stale, or putrid, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On September 17, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 818 cases, each containing 48 cans of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Icy Straits Fisheries, from Hoonah, Alaska, arriving at Seattle, Wash., in various consignments, on July 6, July 18, and August 5, 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, variously: (Cases) "I. S. F. Co. Pink Halves Alaska;" "I. S. F. Co. Alaska Size Pink Halves;" "I. S. F. Co. A Pink Halves;" "I. S. F. Co. Alaska Size Sockeye Halves."

Adulteration was alleged in the libels with respect to a portion of the article for the reason that it consisted in whole or in part of a decomposed animal substance, and with respect to the remainder for the reason that it consisted in whole or in part of a decomposed or putrid animal substance.

On August 25, 1931, McGovern & McGovern, Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation were 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 bonds totaling \$1,200, conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the food and drugs act, or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18789. Adulteration and misbranding of canned frozen eggs. U. S. v. 203 Cans of Frozen Eggs. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 26205. I. S. No. 28339. S. No. 4528.)

Samples of frozen eggs from the shipment herein described were found to be decomposed. Examination also showed that the containers failed to bear a plain and conspicuous statement of the quantity of the contents.

On April 9, 1931, the United States attorney for the Western District of New York, acting upon a report of the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 203 unlabeled cans of frozen eggs, remaining in the original unbroken packages at Buffalo, N. Y., consigned by the Henderson Produce Co., Monroe City, Mo., alleging that the article had been shipped from Monroe City, Mo., on or about August 25, 1930, and had been transported from the State of Missouri into the State of New York, 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 it consisted in part of a filthy, decomposed, and putrid animal substance.

Misbranding was alleged for the 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.

On April 27, 1931, David Bunshaft, Buffalo, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, 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 \$2,000, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act, or other existing laws. It was further ordered by the court that the claimant be permitted to recondition, repack, and relabel the goods under the supervision of this department, and that the portion of the goods found to comply with the law be released and that the unfit portion be destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18790. Adulteration of celery. U. S. v. 98 Crates of Celery. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26523. I. S. No. 33898. S. No. 4836.)

Samples of celery from the shipment herein described having been found to bear a large amount of arsenical spray residue, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.