

Net 'Chickasha Prime' Cottonseed Cake or Meal * * * * * Guaranteed Analysis Protein not less than 43 per cent."

It was alleged in the information that the article was misbranded in that the statements, "Guaranteed Analysis, Protein, not less than 43%," or "Analysis Protein 43 per cent," appearing on the tags attached to the sacks containing the article, and the statement, "100 Lbs. Net Weight," appearing on the tags attached to the sacks containing portions of the said article, were false and misleading, in that the said statements represented that the article contained not less than 43 per cent of protein, and that the sacks containing the said portions each contained 100 pounds of the article; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein and that the sacks containing the said portions each contained 100 pounds of the article; whereas the said article contained less than 43 per cent of protein, and the sacks in certain consignments contained less than 100 pounds. Misbranding was alleged with respect to the said portions of the article for the further reason 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 November 2, 1931, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$70.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18894. Adulteration of canned salmon. U. S. v. 2,487 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26957. I. S. No. 22332. S. No. 5172.)

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

On September 9, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 2,487 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Kodiak Fisheries, from Kodiak, Alaska, on or about July 24, 1931, and had been transported from Alaska into the State of Washington, 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 whole or in part of a decomposed animal substance.

On November 3, 1931, the Kodiak Fisheries Co., Kodiak, Alaska, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, 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 otherwise disposed of contrary to the Federal food and drugs act, or other existing laws, and further conditioned that the good portion be separated from the cans containing decomposed material, and that the portion which was not adulterated be released and the remainder destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18895. Adulteration of Antipasto. U. S. v. 193 Cases of Antipasto. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26780. I. S. Nos. 33889, 33890. S. No. 4896.)

Samples of a food product, known as Antipasto, from the lot herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On July 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 193 cases of Antipasto at New York, N. Y., alleging that the article had been imported from Italy, a portion having been entered December 9, 1930, and the remainder January 20, 1931, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "L'Excelsior Degli Antipasti Il Sole Italie Fili Garosci di Giovanni Preserved Fish and Pickles Antipasto Torino Italy * * * Confezionate in conformita alle norme vigenti. Tonno-Funghi-Olive-Cipolline-Cetrioli-in Salsa."

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 or vegetable substance.

On November 17, 1931, 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.*

18896. Adulteration of canned salmon. U. S. v. 5,283 Cases of Canned Pink Salmon, et al. Consent decree of condemnation and forfeiture. Product taken down under bond to be sorted, the good portion released and the bad portion destroyed. (F. & D. No. 26995. I. S. Nos. 22354, 22355. S. No. 5209.)

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

On September 25, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 5,283 cases of canned pink salmon and 376 cases of canned red salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by R. J. Peratovich, owner and manager of the Bay View Packing Co., from Klawock, Alaska, on or about August 24, 1931, and had been transported from Alaska into the State of Washington, 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 whole or in part of a decomposed animal substance.

On October 10, 1931, R. J. Peratovich, trading as the Bay View Packing Co., Klawock, Alaska, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, 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 \$5,000, conditioned in part that the adulterated portion be separated from the unadulterated portion under the supervision of this department, and that the article should not be disposed of contrary to law. The decree further provided that the bond be canceled upon the production of satisfactory evidence that the filthy, decomposed, and putrid portion of the product had been destroyed by the claimant in the process of the said separation.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18897. Adulteration of canned frozen whole eggs. U. S. v. 1,000 Cans of Frozen Whole Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26967. I. S. No. 36985. S. No. 5183.)

Samples of canned frozen whole eggs from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Texas.

On September 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 1,000 cans of frozen whole eggs at San Antonio, Tex., alleging that the article had been shipped by the U. S. Cold Storage Co., acting for the Tranin Egg Products Co., from Kansas City, Mo., on or about August 17, 1931, and had been transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tranin Egg Products Co. Skins Removed from Yolks Pure Frozen Eggs Whole Eggs."

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

On October 2, 1931, the Tranin Egg Products Co., Kansas City, Mo., 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 the execution of a bond in the sum of \$5,000, conditioned in part that it should not be sold or offered for sale in violation of any existing laws, and it was further ordered that claimant pay all costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*