

On or about September 1 and September 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 5,035 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Kadiak Fisheries Co., from Kodiak, Alaska, in part on or about July 24, 1931, and in part on or about August 15, 1931, and had been transported from Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Case) "Packed by Kadiak Fisheries Co., Kodiak, Alaska, Seattle, Washington."

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

On November 3, 1931, the Kadiak Fisheries Co., Seattle, Wash., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of costs and the execution of bonds totaling \$4,500, conditioned in part that it be sorted under the supervision of this department in order to separate the good portion from the decomposed portion, and further conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession. The decrees further ordered that upon compliance with the conditions of the bonds, the unadulterated portion be released and the remainder destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19003. Adulteration of tomato catsup. U. S. v. 46 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27071. I. S. No. 12606. S. No. 5317.)

Samples of canned tomato catsup from the shipments herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the District of Idaho.

On October 13, 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 46 cases of tomato catsup, remaining in the original unbroken packages at Nampa, Idaho, alleging that the article had been shipped by the Pleasant Grove Canning Co., from Pleasant Grove, Utah, in part on or about October 18, 1930, and in part on or about March 7, 1931, and had been transported from the State of Utah into the State of Idaho, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pleasant Grove Brand Catsup, * * * Packed by Pleasant Grove Canning Co., Pleasant Grove, Orem, Utah."

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

On November 16, 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.*

19004. Misbranding of canned pitted red cherries. U. S. v. 881 Cases of Pitted Red Cherries. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27068. I. S. No. 35094. S. No. 5289.)

Examination of samples of the product herein described showed that the article was water-packed canned pitted cherries, containing excessive pits, and it was not labeled to show that it was water-packed and substandard, as required by regulations of this department.

On or about October 14, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 881 cases of canned pitted red cherries at Chicago, Ill., alleging that the article had been shipped by the Fruit Growers Union Corporation from Sturgeon Bay, Wis., September 4, 1931, and had been transported from the State of Wisconsin into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Sturgeon Bay Brand Pitted Red Cherries * * * Packed by Fruit Growers Canning Co., Sturgeon Bay Wis."