

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy or putrid vegetable substance.

Misbranding was alleged for the reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 12, 1932, the Pacific Food Products Co., Seattle, Wash., 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 to be reconditioned under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal Food and Drugs Act, and all other laws. In supervising the reconditioning of the product, this Department required the separation and destruction of the wormy and insect-infested nuts.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20186. Adulteration of canned salmon. U.S. v. Superior Packing Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 27552. I. S. no. 22330.)

This action was based on the shipment of a quantity of canned salmon, samples of which were found to be decomposed.

On March 29, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Superior Packing Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 28, 1931, from the Territory of Alaska into the State of Washington, of a quantity of canned salmon that was adulterated. The article was labeled in part: (Cases) "Alaska Brand Salmon * * * Eat-More Salmon."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy and decomposed and putrid animal substance.

On October 13, 1932, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20187. Adulteration and misbranding of butter. U.S. v. 90 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 29061. Sample no. 16685-A.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard prescribed by Congress.

On September 23, 1932, the United States attorney for the Southern District of Florida, 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 90 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about September 12, 1932, by Jefferson Creamery, from Ashburn, Ga., to Jacksonville, Fla., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Land O'Sunshine Butter, * * * Jefferson Creamery, Ashburn, Georgia."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength, and had been substituted wholly or in part for butter, a product which should contain not less than 80 percent by weight of milk fat as required by act of March 4, 1923.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article. Misbranding was alleged for the further reason that the statement "Butter", appearing on the label, was false and misleading and deceived and misled the purchaser, since the product contained less than 80 percent by weight of milk fat.

On September 29, 1932, the Jefferson Creamery, Ashburn, Ga., 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 for reworking under the supervision of this Department, upon payment of costs and the execution of a bond in the sum of \$500, conditioned that the milk fat content be brought up to at least 80 percent, and that it should not be sold or disposed of contrary to the provisions of the Food and Drugs Act or the laws of any State.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20188. Adulteration of currants. U.S. v. 7 Crates of Currants. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28884. Sample no. 5213-A.)

This action involved the interstate shipment of a quantity of currants which were found to bear arsenic and lead in amounts which might have rendered the article injurious to health.

On July 18, 1932, 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 seven crates of currants at Chicago, Ill., alleging that the article had been shipped July 13, 1932, by Joe Seymour, through Northern Fruit Co., from Ludington, Mich., to Chicago, Ill., 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 contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered the article injurious to health.

On September 26, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20189. Adulteration of butter. U.S. v. 67 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 28887. Sample no. 12268-A.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On August 18, 1932, the United States attorney for the Southern District of New York, 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 67 tubs of butter, remaining in the original unbroken packages at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about August 8, 1932, by the Almena Creamery, from Almena, Wis., to New York, N.Y., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as provided by the act of March 4, 1923.

Hunter Walton & Co., New York, N.Y., interposed a claim for the property as agent for the Almena Creamery Co., Almena, Wis., admitted the allegations of the libel, consented to the entry of a decree, and agreed that the butter be reworked so that it contain at least 80 percent of butterfat. On August 31, 1932, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,700, conditioned that it be reworked under the supervision of this Department.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20190. Adulteration of blueberries. U.S. v. 14 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28837. Sample no. 12430-A.)

This action involved the shipment of a quantity of blueberries which were found to contain maggots.

On September 1, 1932, the United States attorney for the Southern District of New York, 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 14 crates of blueberries, remaining in the original