

Louisiana, Ohio, Pennsylvania, and Minnesota, respectively, and that it was adulterated and misbranded in violation of the Food and Drugs Act. Certain of the shipments were labeled: (Bottle) "Mid-West Brand * * * Tomato Catsup Made By Mid-west Food Packers, Inc., Fowlerton [or "Marion"] Ind." Certain shipments were labeled: (Can) "Certified Brand * * * Made by Mid-West Food Packers, Inc., Marion, Ind." One lot was labeled: (Bottle) "Honey Grove Brand Tomato Catsup * * * The Cincinnati Wholesale Grocery Co. Distributors. Cincinnati and Dayton Ohio."

It was alleged in the libels that all lots of the article were adulterated in that tomato catsup containing added gum had been substituted for the article. Adulteration was alleged against 105½ cases of the product seized in the Eastern and Western Districts of Louisiana for the reason that the product in the 105½ cases consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

It was further alleged in the libels that all lots of the article were misbranded in that the article was offered for sale under the distinctive name of another article. Misbranding was alleged with respect to a portion of the article for the reason that the statement "Tomato Catsup" on the label was false and misleading when applied to tomato catsup containing added gum.

No appearance was made or answers filed to the libels. On October 20, 1932, judgment was entered in the case instituted at Minneapolis, Minn., ordering that the product be destroyed by the United States marshal. On November 12, 1932, a similar decree was entered against the product seized in the Eastern District of Louisiana and on November 16, 1932, the 1,000 cases seized at Cincinnati, Ohio, were ordered destroyed. The two cases instituted in the Western District of Louisiana were closed on January 3 and January 24, 1933, and the product ordered condemned and destroyed, a jury having found the allegations of the libels to be true and correct.

On January 18, 1933, the 45 cases of canned catsup seized at Wilkesbarre, Pa., also were ordered destroyed. On January 30, 1933, no charge of decomposition having been made against this lot and the court having found that it was not unfit for human consumption, an amended order was entered permitting its distribution to charitable organizations.

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

20486. Adulteration of cauliflower. U.S. v. 484 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29117. Sample no. 12459-A.)

This action involved the interstate shipment of a quantity of cauliflower that was found to bear arsenic in an amount which might have rendered it injurious to health.

On October 13, 1932, the United States attorney for the District of New Jersey, 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 484 crates of cauliflower, remaining in the original and unbroken packages at Jersey City, N.J., alleging that the article had been shipped in interstate commerce on or about October 4, 1932, by the United Growers Association, from Denver, Colo., to Jersey City, N.J., 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 an added poisonous ingredient, arsenic, which might have rendered the article injurious to health.

On November 16, 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.

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

20487. Adulteration of canned salmon. U. S. v. 985 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 29095. Sample nos. 16728 to 16730-A, incl.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be decomposed.

On November 21, 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 985 cases of canned salmon, remaining in the

original and unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by McGovern & McGovern, from Seattle, Wash., arriving at Jacksonville, Fla., on or about September 29, 1932, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "McGovern's Best Brand Alaska Pink Salmon Distributed by McGovern & McGovern, Seattle, U. S. A."

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

On November 21, 1932, the Standard Packing Co., Seattle, Wash., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of \$1,800, conditioned that the unfit portion be segregated and destroyed.

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

20488. Adulteration of canned salmon. U. S. v. 1,450 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29113. Sample nos. 22551-A, 22552-A.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be decomposed.

On October 24, 1932, the United States attorney for the Eastern District of Virginia, 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 1,450 cases of canned salmon, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped in interstate commerce on or about September 9, 1932, by McGovern & McGovern, from Seattle, Wash., to Norfolk, Va., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "McGovern's Best Brand Pink Alaska Salmon."

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

On November 16, 1932, the Standard Packing Co., claimant, having admitted the allegations of the libel and 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 claimant upon payment of costs and the execution of a bond in the sum of \$4,350, conditioned that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act and all other laws; it was further provided that the claimant might remove the goods to Seattle, Wash., for reconditioning.

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

20489. Adulteration of canned salmon. U. S. v. 300 Cases and 500 Cases of Canned Salmon. Appearance and claim entered. Certain codes released unconditionally; 79 cases ordered destroyed. Remainder condemned and forfeited, released under bond. (F. & D. no. 29289. Sample no. 26759-A.)

This action involved a quantity of canned salmon, variously coded. Samples taken from certain of the codes were found to be decomposed.

On November 12, 1932, the United States attorney for the Western District of Kentucky, 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 800 cases of canned salmon at Louisville, Ky. It was alleged in the libel that the article had been shipped in interstate commerce on or about October 19, 1932, that 300 cases had been shipped by the Shepard Point Packing Co., from Seattle, Wash., that 500 cases had been shipped by the Standard Packing Co., from Shepard Point, Alaska, that the article remained in the original cases at Louisville, Ky., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Sea Roamer Brand Alaska Pink Salmon Packed By Shepard Point Packing Co., Seattle, Washington"; or "Floe Brand Alaska Pink Salmon."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance.

The Shepard Point Packing Co., a Washington corporation, appeared and filed an answer admitting the allegations of the libel, alleging, however, that