

article had been obtained from soaked dried prunes. Examination further showed that the bottles contained less than 1 quart, the declared volume, and that the labeling bore unwarranted curative claims.

On September 6, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cases of prune juice at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 5, 1933, by the California Prune & Apricot Growers Association, from San Jose, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that an aqueous extract of partly dried prunes had been substituted for the juice of prunes.

Misbranding was alleged for the reason that the statements in the labeling, (bottle) "Net Contents One Quart", (bottle label display card and circular) "Juice of the * * * Prune", (circular) "Nothing but the juice of the prune * * * Tree ripened Prunes only Plumb sugar sweet fully tree ripened prunes are used in the making of Sunsweet Juice Tree ripening adds extra flavor extra healthfulness extra goodness * * * Tree ripened flavor * * * for Tree Ripened goodness * * * Finest Juice", were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further 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, since the statement made was incorrect.

Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Bottle label, display card, and circular) "Natural Regulator", (circular) "A Health Beverage * * * is essential to health and growth * * * builds up resistance to infections such as common colds * * * these salts make bone it is estimated the Bones contain over 99 percent of the body calcium * * * Vital * * * Fruits help materially in maintaining alkalinity of the blood for reducing * * * Natural Regulating effect * * * in the reducing diet * * * Health drink * * * Vital * * * Vital Qualities * * * For lovely complexions real beauty comes from within not from without to get rid of sallowness and blemishes get rid of body waste. Sunsweet Juice is a natural regulator gently stimulates elimination and helps make skin smooth and clear."

On January 9, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21904. Adulteration of canned shrimp. U. S. v. 600 Cartons and 600 Cartons of Canned Shrimp. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31194. Sample no. 44906-A.)

This case involved a shipment of canned shrimp, unlabeled but variously coded. Samples taken from certain codes were found to be decomposed.

On September 29, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,200 cartons of canned shrimp at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about August 27, 1933, by the De Jean Packing Co., from Biloxi, Miss., 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 part of a decomposed animal substance.

On January 23, 1934, the De Jean Packing Co. having entered an appearance as claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the claimant upon payment of costs and the execution of a bond in the sum of \$3,700, conditioned that it be made to conform with the law under the supervision of this Department, and that it not be sold or disposed of contrary to the provisions of the Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*