

On April 12, 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.*

**22234. Adulteration of canned shrimp. U. S. v. 99 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 31564. Sample no. 54955-A.)

This case involved a shipment of canned shrimp which was found to be in part decomposed.

On or about November 13, 1933, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 cases of canned shrimp at Yakima, Wash., alleging that the article had been shipped in interstate commerce, on or about September 23, 1933, by the Biloxi Canning & Packing Co., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Olivia Brand Small Shrimp \* \* \* Packed by Mavar Fish and Oyster Company, Biloxi, Miss."

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

On April 12, 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.*

**22235. Adulteration of canned shrimp. U. S. v. 100 Cases and 198 Cases of Canned Shrimp. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. nos. 31566, 31567. Sample nos. 54953-A, 54956-A.)

These cases involved a shipment of canned shrimp which was found to be in part decomposed. The article also was falsely labeled as to the name of the manufacturer.

On November 10, 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 libels praying seizure and condemnation of 298 cases of canned shrimp at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about September 23, 1933, by the Biloxi Canning & Packing Co., Inc., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "B-C-P Brand Shrimp [or 'Fountain's Choice Brand Shrimp'] \* \* \* Packed by Biloxi Canning & Packing Co., Inc., Biloxi, Miss."

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

Misbranding was alleged for the reason that the statement on the label, "Packed by Biloxi Canning and Packing Co., Inc.", was false and misleading and deceived and mislead the purchaser, since the goods were packed by the Mississippi Coast Packing Co.

On April 19, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

**22236. Adulteration of tomato puree. U. S. v. 2,000 Cases of Tomato Puree. Consent decree of condemnation and forfeiture. Product released under bond for segregation and destruction of unfit portion.** (F. & D. no. 31570. Sample nos. 43695-A, 43696-A.)

Examination of samples of tomato puree taken from the shipment in this case showed the presence of tomato rot.

On November 13, 1933, 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 a libel praying seizure and condemnation of 2,000 cases of tomato puree at New York, N.Y., alleging that the article had been shipped in interstate commerce, on or about October 6, 1933, by the St. Marys Packing Co., from St. Marys, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "The Famous Royal Scarlet Brand Tomato Puree."

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

On March 9, 1934, the St. Marys Packing Co., 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 claimant upon payment of costs and the execution of a bond in the sum of \$3,500, conditioned that the portion found to be unfit for human consumption be destroyed.

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

**22237. Adulteration of canned shrimp. U. S. v. 87 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31685. Sample no. 57879-A.)**

This case involved a shipment of canned shrimp which was found to be in part decomposed.

On December 6, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 cases of canned shrimp at Memphis, Tenn., alleging that the article had been shipped in interstate commerce, on or about October 14, 1933, by the Luce Packing Co., of Lucedale, Miss., from Evanston, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Oleander Brand Shrimp \* \* \* Packed by Mexican Gulf Packing Co., Inc., Pascagoola, Miss."

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

On March 31, 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.*

**22238. Adulteration of butter. U. S. v. 1 Can of Packing Stock Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32354. Sample no. 56058-A.)**

This case involved a shipment of butter which was found to be filthy.

On January 9, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one can of packing stock butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 5, 1933, by the Peter Fox Sons Co., Inc., from Princeton, Ky., 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 filthy, decomposed, and putrid animal substance.

On February 27, 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.*

**22239. Adulteration of butter. U. S. v. 3 Boxes of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32355. Sample no. 66121-A.)**

This case involved a shipment of butter which was found to contain mold, fragments of feathers, larva, excreta, and insect eggs.

On January 19, 1934, 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 a libel praying seizure and condemnation of three boxes of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 10, 1934, by David Wallerstein & Co., from Richmond, Va., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "From David Wallerstein & Co., \* \* \* Richmond, Va."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On February 10, 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.*