

26065. Adulteration and misbranding of canned oysters. U. S. v. 124 Cases of Canned Oysters. Decree of destruction. (F. & D. no. 37598. Sample no. 63753-B.)

This case involved canned oysters that contained fragments of shells.

On April 16, 1936, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 124 cases of canned oysters at Vidalia, Ga., alleging that the article had been shipped in interstate commerce on or about March 13 and 27, 1936, by the Nassau Packing Co., from Jacksonville, Fla., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Golden Galleon Oysters * * * The oysters are very carefully packed fresh from the sound, * * * Packed by the Nassau Packing Co. S. S. Goffin, Jacksonville, Fla."

The article was alleged to be adulterated in that oyster and other shells had been mixed and packed therewith and had been substituted wholly or in part for oysters, which the product purported to be; and in that it contained an added deleterious ingredient, fragments of shells, which might have rendered it injurious to health.

The article was alleged to be misbranded in that the statement on the label, "The oysters are very carefully packed", was false and misleading and tended to deceive and mislead the purchaser.

On June 9, 1936, a decree was entered ordering that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26066. Adulteration of canned salmon. U. S. v. 3,571 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond for reconditioning. (F. & D. no. 37599. Sample nos. 66831-B, 66838-B.)

This case involved an interstate shipment of canned salmon examination of which showed the presence of decomposed salmon.

On April 14, 1936, 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 3,571 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 12, 1935, by the Sebastian Stuart Fish Co., from Tyee, Alaska, and that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 21, 1936, the Sebastian Stuart Fish Co., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered, and it was ordered that the article be released under bond conditioned that it be reconditioned.

W. R. GREGG, *Acting Secretary of Agriculture.*

26067. Adulteration of canned salmon. U. S. v. 93 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. no. 37606. Sample no. 66842-B.)

This case involved shipment of canned salmon that was in part decomposed.

On April 16, 1936, 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 93 cases of canned red salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 19, 1935, by the Hood Bay Canning Co., from Hood Bay, Alaska, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On April 27, 1936, the Hood Bay Canning Co. having appeared as claimant for the article and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it not be disposed of in violation of the Food and Drugs Act.

W. R. GREGG, *Acting Secretary of Agriculture.*