

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

On September 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26325. Adulteration of canned salmon. U. S. v. 79 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. no. 37613. Sample no. 73209-B.)

This case involved canned salmon that was in part decomposed.

An April 20, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 79 cases of canned salmon at Ontario, Oreg., alleging that the article had been shipped in interstate commerce on or about August 27, 1935, by the Oceanic Sales Co., from Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cases) "First Call Brand Alaska Pink Salmon. Packed by Deep Sea Salmon Co., Seattle."

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

On July 13, 1936, the Deep Sea Salmon Co., Seattle, Wash., claimant, having admitted the allegations in the libel 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 should not be disposed of in violation of the law.

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

26326. Adulteration of canned peas. U. S. v. 102 Cases of Canned Garden Peas. Default decree of condemnation and destruction. (F. & D. no. 37622. Sample nos. 59145-B, 68657-B.)

This case involved canned peas that were partially decomposed.

On April 20, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 102 cases of canned peas at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about August 14, 1935, by the Smith Canning Co., from Clearfield, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cabro Brand Garden Peas * * * Packed for Carroll-Brough-Robinson Oklahoma City, Enid, Okla."

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

On September 25, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26327. Misbranding of canned apricots. U. S. v. 63 Cases of Canned Apricots. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 37629. Sample no. 73211-B.)

This case involved apricots that fell below the standard established by this Department and which were not labeled to indicate that they were substandard.

On April 22, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 cases of canned apricots at Ontario, Oreg., alleging that the article had been shipped in interstate commerce on or about August 21, 1935, by the Idaho Canning Co., from Payette, Idaho, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Cans) "Seven Devils Brand Unsweetened Apricots * * * Packed by Idaho Canning Co. Ltd. Payette, Idaho."

The article was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, in that the fruit was not normally colored because of the presence of some green pieces, and in that they were not uniform in size since the weight of the largest piece was more than 80 percent in excess of the weight of the smallest piece in the can, and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture indicating that it fell below such standard.

On September 14, 1936, the Idaho Canning Co., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was