

On October 6, 1936, the Pacific American Fisheries, Inc., having appeared as claimant, judgments of condemnation were entered covering portions of said shipments, consisting of approximately 7,554 cases, and it was ordered that the said portions be released under bond conditioned that the cans containing decomposed salmon be separated therefrom and destroyed. The remainder was released as not adulterated.

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

26528. Adulteration of canned tuna. U. S. v. 74 Cases of Canned Tuna. Decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 36752. Sample no. 85125-B.)

This case involved canned tuna that was in part decomposed.

On December 9, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 74 cases of canned tuna at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about October 20, 1935, by the Coast Fishing Co., from Wilmington, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Sea Ace Brand Extra Quality Tuna * * * Packed by Franco-Italian Packing Co. Inc. Terminal Island California."

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

On November 23, 1936, the Franco-Italian Packing Co., a corporation, having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the cans containing decomposed tuna be segregated and destroyed.

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

26529. Adulteration of crab meat. U. S. v. William G. Ruark (W. G. Ruark & Co.) Plea of nolo contendere. Fine, \$50. (F. & D. no. 36959. Sample nos. 4699-B, 5051-B, 32187-A, 39736-B, 39740-B, 39741-B, 39765-B, 39915-B.)

This case involved crab meat that was filthy as evidenced by the presence of fecal *Bacillus coli*.

On April 6, 1936, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William G. Ruark, trading as W. G. Ruark & Co., Belhaven, N. C., alleging that the defendant had shipped in interstate commerce from the State of North Carolina various lots of crab meat; that the shipments had been made on or about July 3, 1933, into the State of New York; on or about August 12 and August 19, 1934, into the District of Columbia; and on or about July 12, 16, 17, 18, and 20, 1935, into the State of Maryland and that the article was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Green Top Brand."

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance, since it was polluted by and contained fecal *B. coli*.

On October 5, 1936, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$50.

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

26530. Adulteration of canned salmon. U. S. v. Alaska Salmon Packing Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 36968. Sample nos. 40500-B, 40513-B, 40879-B, 40896-B.)

This case involved canned salmon that was in part decomposed.

On May 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 an information against the Alaska Southern Packing Co., a corporation, with its principal place of business at Kupreanof Harbor, Alaska, and trading at Seattle, Wash., alleging that on or about July 29, 1935, the defendant company shipped from Kupreanof Harbor, Alaska, into the State of Washington a quantity of canned salmon that was adulterated in violation of the Food and Drugs Act.

The information alleged that the article was adulterated in that it consisted in part of a decomposed and putrid animal substance.

On November 2, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

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