article was labeled in part: "Gurnet Brand American Sardines * * * Packed by the Gurnet Fisheries Co., Plymouth, Mass."

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

On February 15 and April 30, 1930, respectively, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17428. Misbranding of tomato paste. U. S. v. 4 Cases, et al., of Tomato Paste. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 24216, 24217. I. S. Nos. 024044, 024045. S. Nos. 2465, 2466.)

Samples of the tomato paste from the shipments herein described having been found to contain added coloring matter, namely, cochineal, the Secretary of Agriculture reported the facts to the United States attorney for the Middle District of Pennsylvania.

On November 5 and November 6, 1929, respectively, the United States attorney filed in the District Court of the United States for said district libels praying seizure and condemnation of 21 cases of tomato paste, remaining in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Davis Canning Co., from Laurel, Del., in 2 lots, on or about October 1 and October 2, 1929, respectively, and transported from the State of Delaware into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Salsa Di Pomidoro Al Basilico Marca Colombina Brand Pure Tomato Paste with Basil Distributed and Guaranteed By Colombina Products Corporation, Laurel, Delaware."

It was alleged in the libels that the article was misbranded in that the statements on the label, "Salsa Di Pomidoro Pure Tomato Paste," were false and misleading when applied to an article containing undeclared artificial color.

On January 31, 1930, Howard E. Jones & Co. (Inc.), having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to the said claimant to be relabeled, upon payment of costs and the execution of bonds totaling $1,000, conditioned in part that it should not be sold or otherwise disposed of until examined, passed upon, and released by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17429. Adulteration of canned tuna. U. S. v. 27 Cases of Canned Tuna. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24454. I. S. No. 030375. S. No. 2724.)

Samples of canned tuna from the shipment herein described having been found to contain decomposed fish, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Florida.

On January 23, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 27 cases of canned tuna, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Southern California Fish Corporation, from Los Angeles, Calif., on or about December 13, 1929, and transported from the State of California into the State of Florida, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Plee-zing Fancy Light Meat Tuna Packed * * * by Southern Calif. Fish Corp."

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

On March 20, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17430. Misbranding of canned tuna fish. U. S. v. 95 Cases of Flaked Tuna Fish. Consent decree of condemnation and forfeiture. Product released uder bond. (F. & D. No. 24414. I. S. No. 018428. S. No. 2676.)

Sample cans of the tuna fish from the shipment herein described having been found to contain less than 7 ounces of the product, the amount labeled on the can, the Secretary of Agriculture reported the facts to the United States attorney for the District of Colorado.