

17442. Adulteration of canned salmon. U. S. v. 321 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24166. I. S. Nos. 09949, 019277. S. No. 2377.)

Samples of canned salmon from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Washington.

On December 19, 1929, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 321 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Copper River Packing Co., from Port Nellie Juan, Alaska, August 16, 1929, and transported from Alaska into the State of Washington, 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 whole or in part of a decomposed animal substance.

On April 16, 1930, the Copper River Packing Co., Seattle, Wash., 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 said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be sorted under the supervision of this department and the portion found not adulterated released and the remainder destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17443. Adulteration of grapefruit. U. S. v. 348 Boxes of Grapefruit. Product released under bond to be salvaged. (F. & D. No. 24548. I. S. No. 018528. S. No. 2871.)

A large part of the grapefruit herein described having been found to be dry, the Secretary of Agriculture reported the matter to the United States attorney for the District of Utah.

On February 19, 1930, the said United States attorney filed in the United States District Court for said district a libel praying seizure and condemnation of 348 boxes of grapefruit, alleging that the article had been shipped by Wade and Newton from McAllen, Tex., on or about February 19, 1930, in interstate commerce into the State of Utah, that it remained in the original unbroken packages at Salt Lake City, Utah, and that it was adulterated in violation of the food and drugs act. The article was labeled in part: "Marsh Seedless Wade & Newton Brand Grapefruit * * * Packed and shipped by Wade & Newton * * * San Benito, Texas."

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; in that frost-damaged citrus fruit had been substituted for edible citrus fruit, which the said article purported to be; and in that a valuable constituent, juice, had been wholly or in part abstracted.

On February 28, 1930, Franklin R. Smith, Salt Lake City, Utah, having filed a claim and answer admitting the allegations of the libel, and having paid costs and executed a bond in the sum of \$1,500, on motion of the United States attorney judgment was entered ordering that the product be delivered to the said claimant to be sorted and salvaged, under the supervision of this department, and the portion found sound released, and the frost-damaged and adulterated portion destroyed or disposed of according to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17444. Adulteration of cheese. U. S. v. 30 Boxes of Cheese. Default decree of forfeiture and destruction. (F. & D. No. 24516. I. S. No. 031004. S. No. 2813.)

Samples of cheese from the herein described shipment having been found to contain excessive moisture, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Wisconsin.

On February 12, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 30 boxes of cheese, remaining in the original unbroken packages at Brodhead, Wis., alleging that the article had been shipped by the Redfern Cheese Co., from Warren, Ill., on October 10, 1929, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the food and drugs act.