& Seideman, * * * S. & S. Athena Brand, New York, Catanzaro Co., Baltimore, Md."

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

On February 16, 1931, 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.*

17996. Misbranding of canned crab meat. U. S. v. 90 Tins of Canned Crab Meat. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25316. I. S. No. 13859. S. No. 3581.)

Samples of canned crab meat from the herein-described shipment having been found short weight, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On November 12, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 90 tins of canned crab meat at Chicago, Ill., alleging that the article had been shipped by the Ozio Fisheries, from Morgan City, La., on November 3, 1930, and transported from the State of Louisiana into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Ozio Brand Crab Meat Ozio Fisheries Morgan City, La., * * * One Pound Net."

It was alleged in the libel that the article was misbranded in that the statement on the can, "One Pound Net," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was incorrect.

On December 26, 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.*

17997. Adulteration of canned salmon. U. S. v. 1,384 Cases, et al., of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24462. I. S. Nos. 030372, 030373, 030374. S. No. 2741.)

A large part of the canned salmon from the herein-described shipments having been found to be in an advanced stage of decomposition, 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 the district aforesaid a libel praying seizure and condemnation of 1,997 cases of canned salmon, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Buttnick Manufacturing Co., from Seattle, Wash., on or about November 13, 1929, and transported from the State of Washington into the State of Florida, and charging adulteration in violation of the food and drugs act. The article was labeled under three brands, as follows: (Cans) "Meadow Lark Brand * * * Sockeye Salmon Packed by Pacific Coast & Norway Packing Company, Petersburg, Alaska;" "Nifco Brand Puget Sound Fancy Red Sockeye Salmon * * * Packed by National Independent Fisheries Co., Seattle, U. S. A.," "Golden Red Brand Salmon Alaska Salmon * * * Distributed by Elmer W. Smith Inc., Seattle, Wash."

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

On April 17, 1930, a default order was entered ordering that the product be condemned and destroyed. On May 6, 1930, an amended decree was filed ordering that the product be sold at public auction, under bond in the sum of $500, conditioned that it should not be sold or used for human consumption, and the sum realized deposited in court as proceeds in an action involving claims against the property. On March 7, 1931, the conditions of the decree having been breached in that the product was being sold for human consumption, and so much of the article as could be located having been reseized, judgment of condemnation and forfeiture was entered and it was ordered by the court that the marshal destroy the seized goods.

ARTHUR M. HYDE, *Secretary of Agriculture.*