On October 21, 1930, the Land O'Lakes Creameries (Inc.), Duluth, Minn., having appeared as claimant for the property, judgment was entered finding the product adulterated and ordering that it be condemned, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of $3,200, conditioned in part that it be reworked under the supervision of this department, and should not be disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18403. Adulteration and misbranding of canned shrimp. U. S. v. 40 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26034. I. S. Nos. 15133, 15134. S. No. 4351.)

Samples of canned shrimp from the shipment herein described having been found to be decomposed, and the cans having been found to be short of the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On March 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 40 cases of canned shrimp at New Orleans, La., alleging that on or about March 10, 1931, the Pelican Lake Oyster & Packing Co., (Ltd.) Houma, La., had delivered the article to the steamship dock at New Orleans, La., intended for export to a foreign country, namely, Venezuela, and that it was adulterated and misbranded in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Creole Brand La. Shrimp Packed by Pelican Lake Oyster and Packing Co., Ltd., Houma, La., U. S. A. Dry Pack Contents 5 ounces."

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

Misbranding was alleged for the reason that the statement on the can label, "Contents 5 ounces," 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 the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On May 11, 1931, all persons having claim or interest in the product having been cited to appear, and all such parties having been found in default, 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.*

18404. Misbranding of alfalfa leaf meal. U. S. v. 102 Bags of Alfalfa Leaf Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 25798. I. S. No. 16402. S. No. 4038.)

Samples of alfalfa meal from the shipment herein described having been found to contain less protein than declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Indiana.

On January 30, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 102 bags of alfalfa leaf meal, remaining in the original unbroken packages at Hammond, Ind., alleging that the article had been shipped by the Lamar Alfalfa Milling Co., from Lamar, Colo., on or about December 15, 1930, and had been transported from the State of Colorado into the State of Indiana, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Sack) "Alfalfa Leaf Meal * * * Guaranteed Analysis Protein 20.0% * * * Manufactured by The Lamar Alfalfa Milling Co., Lamar, Colo."

It was alleged in substance in the libel that the article was misbranded in that the statement on the label, "Guaranteed Analysis Protein 20.0%," was false and misleading and tended to and did deceive and mislead the purchaser, since the said statement represented that the article contained 20 per cent of protein whereas it contained a less amount.

On March 24, 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 sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*