On or about February 19, 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 150 cases of canned prunes, remaining in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the Eugene Fruit Growers Association, from Eugene, Oreg., on or about November 26, 1930, and had been transported from the State of Oregon into the State of Kansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Winwood Brand Italian Prunes * * * The Winfield Wholesale Grocery Co., Distributors, Wichita, * * * Kansas."

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

On May 20, 1931, no claimant having appeared for the property, a decree was entered by the court, which was amended on June 22, 1931. The decree as amended found the product adulterated and ordered that it be condemned and destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18433. Adulteration and misbranding of frozen egg yolks. U. S. v. 962 Cans of Frozen Egg Yolks. Product ordered released under bond to be relabeled. (F. & D. No. 26255. I. S. No. 28308. S. No. 4590.)

Samples of canned frozen eggs from the shipment herein described having been found to contain added undeclared sugar, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On April 21, 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 962 cans of frozen egg yolks, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the H. J. Keith Co. (Inc.), from Minneapolis, Minn., on or about March 7, 1931, and had been transported from the State of Minnesota into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Packed in Minneapolis, Minn. Keiths Eggs Ovisco."

It was alleged in the libel that the article was adulterated in that egg yolks containing added sugar had been substituted for the said article.

Misbranding was alleged for the reason that the statement on the label, "Eggs," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On May 6, 1931, the H. J. Keith Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree of condemnation and forfeiture, judgment was entered ordering that the product be released to the said claimant to be relabeled under the supervision of this department, upon payment of costs and the execution of a bond in the sum of $1,500, conditioned in part that it should not be disposed of in violation of the law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18434. Adulteration of canned tuna. U. S. v. 15 Cases of Canned Tuna. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24437. I. S. No. 021892. S. No. 2699.)

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

On January 13, 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 15 cases of canned tuna, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Westgate Sea Products Co., from San Diego, Calif., on or about November 18, 1929, and had been transported from the State of California into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Alamo Brand Tuna * * * Packed By Westgate Sea Products Company, San Diego, California."

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