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 $100, conditioned that it should not be disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession, and further conditioned that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18858. Adulteration of canned shrimp. U. S. v. 9 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26708. I. S. No. 11844. S. No. 4846.)

Samples of canned shrimp 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 Southern District of California.

On or about June 25, 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 nine cases of canned shrimp, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Pelican Lake Oyster & Packing Co., from Houma, La., on or about November 27, 1930, and had been transported from the State of Louisiana into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Pel-La-Co Fancy La. Shrimp * * * Pelican Lake Oyster & Packing Co., Houma, La."

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

On October 12, 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.*

18859. Adulteration and misbranding of canned tuna. U. S. v. Cohn-Hopkins (Inc.). Plea of guilty. Fine, $50. (F. & D. No. 26574. I. S. Nos. 5213, 5214.)

Samples of canned tuna from the shipment herein described having been found to contain fish other than tuna, namely, bonita, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On August 24, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Cohn-Hopkins (Inc.), a corporation, alleging shipment by said company, in violation of the food and drugs act, on or about August 15, 1930, from the State of California into the State of Pennsylvania, of a quantity of canned tuna that was adulterated and misbranded. The article was labeled in part: "Sun Harbor Brand Tuna Packed by Cohn-Hopkins, Inc. * * * San Diego, Calif. * * * Light Meat Tuna."

It was alleged in the information that the article was adulterated in that bonita fish had been substituted for tuna fish, which the said article purported to be.

Misbranding was alleged for the reason that the statement, "Tuna," borne on the label, was false and misleading in that the said statement represented that the article consisted wholly of tuna; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of tuna, whereas it did not so consist, but did consist in whole and in part of bonita.

On September 18, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18860. Adulteration and misbranding of canned grapefruit juice. U. S. v. 130 Cases, et al., of Canned Grapefruit Juice. Consent decree providing for release of the product under bond. (F. & D. Nos. 26886, 26887, 26890. I. S. No. 21426. S. No. 5072.)

Examination of samples of canned grapefruit juice from the shipment herein described having shown that the article contained undeclared added sugar and that the cans were short of the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.