19130. Adulteration and misbranding of cane sirup. U. S. v. 371 Cases, et al., of Cane Sirup. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 26924, 26925. I. S. Nos. 37442, 37443, 37444, 37445. S. Nos. 5131, 5132.)

Examination of samples of sirup from the shipments herein described having shown that the product contained added undeclared molasses, and that a portion of the cans contained less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Arkansas.

On September 1, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 568 cases of cane sirup, in part at Dermott, Ark., and in part at Pine Bluff, Ark., alleging that the article had been shipped on or about May 18, and May 20, 1931, respectively, by Chauvin Bros. Preserving Co., from Burnside, La., and had been transported in interstate commerce from the State of Louisiana into the State of Arkansas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Cases) "Phoenix Brand Syrup;" (cans) "Cane Syrup." A portion of the article was further labeled: (Cans) "Net contents 3 Qts. 7 Fl. Ozs."

It was alleged in the libel that the article was adulterated in that molasses had been mixed and packed therewith so as to reduce or lower and injuriously affect its quality or strength, and had been substituted in part for the said article.

Misbranding was alleged for the reason that the statements, "Cane Syrup" and "Net Contents 3 Qts. 7 Fl. Ozs.," were 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 as to the quantity of the contents was not correct.

On November 29, 1931, Chauvin Bros. Preserving Co., Burnside, La., claimant, having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant to be correctly labeled, under the supervision of this department, upon payment of costs and the execution of good and sufficient bonds.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19131. Adulteration of herring. U. S. v. 2 Boxes of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27880. I. S. No. 44134. S. No. 5707.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 11, 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 two boxes of herring at Chicago, Ill., alleging that the article had been shipped by Enok Edwardsen, from Beaver Bay, Minn., on or about December 4, 1931, and had been transported from the State of Minnesota into the State of Illinois, 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 part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On January 11, 1932, 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.*

19132. Adulteration of herring. U. S. v. 3 Boxes of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27855. I. S. No. 44152. S. No. 5736.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and