19799. Adulteration and misbranding of canned shrimp. U. S. v. 25 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26875. I. S. No. 22296. S. No. 5052.)

Samples of canned shrimp taken from the shipment involved in this action were found to be decomposed and short weight.

On August 17, 1931, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 cases of canned shrimp, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about May 9, 1931, by the Pelican Lake Oyster & Packing Co., from New Orleans, La., to Seattle, Wash., and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "S & W Large Size Shrimp Contents Weight 8¼ Oz."

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

Misbranding was alleged for the reason that the statement on the can, "Contents Weight 8¼ Oz.," was false and misleading and deceived and misled the purchaser, and for the further reason that it 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 incorrect.

On June 8, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19800. Adulteration of catsup. U. S. v. 158 Cases of Catsup. Default decree of destruction entered. (F. & D. No. 27764. I. S. No. 37389. S. No. 5850.)

This action involved the interstate shipment of a quantity of tomato catsup, samples of which were found to contain excessive mold.

On February 23, 1932, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 158 cases of catsup, remaining in the original packages at Chillicothe, Ohio. It was alleged in the libel that the article had been shipped in interstate commerce by the Shirley Canning Co., from Shirley, Ind., to Chillicothe, Ohio, on or about January 27, 1932, and that it was adulterated in violation of the food and drugs act. The article was labeled in part: (Cans) "Shirley Brand Fancy Catsup * * * Shirley Canning Co. Shirley, Indiana."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On May 7, 1932, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19801. Adulteration of prunes. U. S. v. John Clare Tracy (J. C. Tracy & Co.) Plea of guilty. Fine, $250. (F. & D. No. 27420. I. S. Nos. 11087, 11088, 11089, 11090, 20454, 20456, 20459.)

This action was based on the interstate shipment of quantities of prunes, samples of which were found to be insect-infested, decomposed, bin-spoiled, and excessively lye-cut.

On May 18, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against John Clare Tracy, trading as J. C. Tracy & Co., Dallas, Oreg., alleging shipment by said defendant in violation of the food and drugs act, between the dates of January 26, 1931, and February 23, 1931, from the State of Oregon into the State of New York, of quantities of prunes that were adulterated. The article was labeled in part: "Oregon Prunes Web Foot Brand * * * Packed by J. C. Tracy & Co., Dallas, Oregon."

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

On May 18, 1932, the defendant entered a plea of guilty to the information, and the court imposed a fine of $250.

HENRY A. WALLACE, *Secretary of Agriculture.*