

of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On November 25, 1932, M. Lamadrid & Co., San Juan, P.R., having appeared as claimant for the property, 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 \$200, conditioned that it should not be sold or otherwise disposed of until relabeled to conform to the Federal Food and Drugs Act.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20338. Adulteration of cauliflower. U.S. v. 148 Crates of Cauliflower. Consent decree of condemnation, forfeiture, and destruction. (F. & D. no. 29135. Sample no. 18726-A.)

This action involved an interstate shipment of cauliflower that was found to bear arsenic in an amount which might have rendered the article injurious to health.

On or about October 11, 1932, the United States attorney for the Southern District of Florida, 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 148 crates of cauliflower, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about October 1, 1932, by the Hartner Produce Co., from Denver, Colo., 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 contained an added poisonous and deleterious ingredient, arsenic, in an amount which might have rendered the article injurious to health.

On October 12, 1932, the Hartner Produce Co. having consented to the entry of a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20339. Adulteration of pears. U.S. v. 19 Bushels of Clapp Pears. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28986. Sample no. 3493-A.)

This action involved the interstate shipment of a quantity of pears that were found to bear arsenic and lead in amounts which might have rendered the article injurious to health.

On September 1, 1932, the United States attorney for the Northern District of Illinois, 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 19 bushels of Clapp Favorite pears at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 24, 1932, by C. L. Heinlen Co., from Benton Harbor, Mich., to Chicago, Ill., 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 contained added poisonous and deleterious ingredients, to wit, arsenic and lead, in amounts which might have rendered the article injurious to health.

On October 27, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20340. Adulteration of canned salmon. U.S. v. 400 Cases of Canned Salmon. Product ordered released under bond for separation and destruction of unfit portion. (F. & D. no. 28979. Sample no. 2194-A.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be decomposed.

On September 30, 1932, the United States attorney for the District of Utah, 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 400 cases of canned salmon, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce, on or about August 25, 1932, by Libby, McNeill & Libby, from Seattle, Wash., to Salt Lake City, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Happy-Vale Brand Pink Salmon * * * Packed in Alaska."

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

On October 7, 1932, Libby, McNeill & Libby, having filed a claim and answer admitting the allegations of the libel, and having filed a bond in the sum of \$1,250, a decree was entered ordering that the product be released to the said claimant; that it be sorted under the supervision of this Department; and that the portion found to be in sound condition be released and the decomposed portion destroyed. On October 18, 1932, the claimant petitioned the court for permission to ship 28 cases of the goods to Seattle, Wash., for further salvaging in accordance with the terms of the decree. On the same date the court filed an order granting claimant authority to ship the said 28 cases to Seattle; and further ordering that any portion thereof found to be edible be released and the remainder destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20341. Adulteration of canned salmon. U.S. v. 580 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 28998. Sample no. 16686-A.)

This action involved a shipment of canned salmon, samples of which were found to be partially decomposed.

On October 4, 1932, the United States attorney for the Eastern District of South Carolina, 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 580 cases of canned salmon, remaining in the original unbroken packages at Charleston, S.C., alleging that the article had been shipped on or about July 30, 1932, by F. A. Gosse Co., from Seattle, Wash., to Charleston, S.C., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Cordova Brand Alaska Medium Red Salmon."

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

On October 29, 1932, the Shepard Point Packing Co., Inc., Seattle, Wash., having appeared as claimant for the property and having consented 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 \$250, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20342. Adulteration of canned salmon. U.S. v. 218 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond; unfit portion ordered destroyed. (F. & D. no. 28920. Sample nos. 15247-A, 15321-A.)

This action involved a shipment of canned salmon, samples of which were found to be partially decomposed.

On September 19, 1932, 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 218 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about August 5, 1932, by the Alaska Salmon Co., from Unalaska, Bristol Bay, Alaska, to Seattle, Wash., 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 whole or in part of a decomposed animal substance.

On October 13, 1932, the Alaska Salmon Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the decomposed portion be separated from the fit portion. It was further ordered that the portion found fit for human consumption be released and that the decomposed portion be destroyed in the process of separation.

R. G. TUGWELL, *Acting Secretary of Agriculture.*