On November 28 and December 1, 1936, the United States attorneys for the Western District of South Carolina and the Eastern District of South Carolina, filed in their respective district courts libels praying seizure and condemnation of 800 cases of canned salmon at Greenville, S. C., and 99 cases and 70 cans of canned salmon at Charleston, S. C., alleging that the article had been shipped in interstate commerce in part on or about August 24, 1936, and in part on or about August 28, 1936, by McGovern & McGovern, from Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act. It was labeled in part: "Sea Flyer Brand First Quality Alaska Pink Salmon * * * Select Alaska Pink Salmon * * * Distributed by McGovern & McGovern Seattle."

The article was alleged to be misbranded in that the statements on the label, "First Quality * * * Select Alaska Pink Salmon", were false and misleading and tended to deceive and mislead the purchaser when applied to a product consisting of pale pink salmon of inferior quality.

On January 2 and January 14, 1937, McGovern & McGovern, Seattle, Wash., and Britt-McKinney Co., Greenville, S. C., having appeared as claimants for respective portions of the article, judgments of condemnation were entered and it was ordered that the product be released under bond conditioned that the cans have affixed thereto new labels that do not bear the words "first quality" or "select" or any other statement in violation of the law.

W. R. GREGG, *Acting Secretary of Agriculture.*

26946. Misbranding of canned salmon. U. S. v. 574 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. no. 38385. Sample no. 22097–C.)

This product was represented to be Fancy quality but consisted of pink salmon of inferior quality.

On October 6, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 574 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 30, 1936, by the Hood Bay Canning Co., from Hood Bay, Alaska, and charging misbranding in violation of the Food and Drugs Act. It was labeled in part: (Case) "Select Pink Salmon Distributed by Kelley-Clarke Co., Seattle, Wash."; (can) "Bugle Brand Fancy Alaska Pink Salmon."

The article was alleged to be misbranded in that the statements in the labeling, "Select Pink Salmon" and "Fancy Alaska Pink Salmon", were false and misleading and tended to deceive and mislead the purchaser when applied to pink salmon of inferior quality.

On October 15, 1936, the Hood Bay Canning Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled to conform to the Federal Food and Drugs Act.

W. R. GREGG, *Acting Secretary of Agriculture.*

26947. Adulteration of canned salmon. U. S. v. 1,625 Cartons and 14,860 Cases of Canned Salmon. Decree of condemnation. Product exonerated in part and part released under bond subject to reconditioning and relabeling. (F. & D. no. 38373. Sample nos. 22321–C, 22327–C.)

This salmon was in part decomposed.

On September 30, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,625 cartons and 14,860 cases of canned salmon at Bellingham, Wash., alleging that it had been shipped in interstate commerce on or about August 26, 1936, by Pioneer Sea Foods Co., from Orca, Alaska, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On March 16, 1937, the Pacific American Fisheries, Inc., of Bellingham, Wash., having appeared as claimant, decree of condemnation was entered and it was ordered that a portion of said product be exonerated and that the remainder be released under bond subject to segregation and destruction of the adulterated portion and relabeling of the remainder as "Reprocessed."

W. R. GREGG, *Acting Secretary of Agriculture.*