23 and October 22, 1934, by the Garber Eagle Oil Corporation, from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pride of the Home Brand [or "Cavalier Brand"] Pure Vegetable Oil Packed By Garber Eagle Oil Corporation Brooklyn, N. Y."

The article was alleged to be misbranded in that the following statements appearing on the labels, (Pride of the Home brand, main panel) "Marca Orgoglio Della Casa Olio Purissimo per insalata, cucina e tavola"; (side panel) "Marca Orgoglio Della Casa Olio Puro per insalata e un delizioso olio vegetale e ottimo per insalata salse fritture ed in tutti gli altri usi da tavola e cucina", (Cavaliere brand, main panel) "Marca Cavaliere Puro Olio Vegetale per majonnise e insalata il migliore per uso di tavola", (side panel) "Marca Cavaliere Quest' olio vegetale e delizioso puro, adatto specialmente per insalata, salse fritture e tutti gli usi di tavola e cucina", and the picture of a foreign scene on the main panel of the cans of the Cavaliere brand, were misleading and tended to deceive and mislead the purchaser, since they implied that the product was Italian olive oil; whereas it was domestic cottonseed oil. Misbranding was alleged with respect to a portion of the Cavaliere brand for the further reason that it purported to be a foreign product when not so.

On January 31, 1935, the Garber-Eagle Oil Corporation having appeared as claimant and the cases having been consolidated into one cause of action, judgment of condemntion was entered and it was ordered that the product be released under bond, conditioned that it should not be disposed of in violation of the law.

M. L. WILSON, *Acting Secretary of Agriculture.*

24277. Misbranding of canned shrimp. U. S. v. 98 Cases of Canned Shrimp. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 34385. Sample no. 20138-B.)

Sample cans of shrimp taken from the shipment involved in this case were found to contain less than 9 ounces, the weight declared on the label.

On November 16, 1934, 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 98 cases of canned shrimp at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 22, 1934, by Dorgan-McPhillips Packing Corporation, from Mobile, Ala., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Happy Home Brand Shrimp Contents 9 Oz. Metric Equiv. 255 Grams Schwabacher Bro's & Co. Inc. Seattle, Wash. Distributors."

The article was alleged to be misbranded in that the statement on the label, "Contents Nine Oz Metric Equiv. 255 Grams", was false and misleading and tended to deceive and mislead 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 was incorrect.

On December 10, 1934, Schwabacher Bros. & Co., Inc., Seattle, Wash., 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 show the actual quantity of the contents.

M. L. WILSON, *Acting Secretary of Agriculture.*

24278. Adulteration of canned shrimp. U. S. v. 25 Cases and 170 Cases of Canned Shrimp. Decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 34387. Sample no. 16406-B.)

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed.

On November 16, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 195 cases of canned shrimp at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 8, 1934, by the J. H. Pelham Co., from Pascagoula, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sea-Fresh Brand Shrimp * * * Packed by The J. H. Pelham Co. Pascagoula, Miss."