20969. Adulteration of canned salmon. U. S. v. 1,601 Cases, et al., of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond for separation and destruction of unfit portion. (F. & D. no. 28962. Sample no. 26084–A.)

This case involved a shipment of canned salmon that was in part decomposed.

On October 4, 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 a libel praying seizure and condemnation of 1,793 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped on or about August 5, 1932, by the Alaska Salmon Co., from Unalaska, 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 20, 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 released to the claimant upon payment of costs and the execution of a bond in the sum of $1,500, conditioned that all cans containing decomposed salmon be destroyed.

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

20970. Adulteration of butter. U. S. v. Jesse Baxter and Chris J. Camenisch (Stanford Creamery Co.). Pleas of guilty. Fines, $200 and costs. Sentences suspended. (F. & D. no. 29421. Sample no. 4169–A.)

This case was based on an interstate shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On February 3, 1933, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jesse Baxter and Chris J. Camenisch, copartners, trading as Stanford Creamery Co., Stanford, Ky., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about May 13, 1932, from the State of Kentucky into the State of Illinois, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product that should contain not less than 80 percent of milk fat, which the article purported to be.

On April 4, 1933, the defendants entered pleas of guilty to the information and were each fined $100 and costs. The court ordered that both sentences be suspended.

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

20971. Adulteration of canned tomatoes. U. S. v. 1,800 Cases of Canned Tomatoes. Decree of condemnation and forfeiture. Product released under bond for separation and destruction of unfit portion. (F. & D. no. 28826. Sample no. 16309–A.)

This case involved an interstate shipment of canned tomatoes, samples of which were found to contain dead insects and maggots.

On August 30, 1932, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,800 cases of canned tomatoes at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about June 4, 1932, by Thomas Roberts & Co., from Fort Pierce, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Pride of the Farm Brand * * * Tomatoes Thomas Roberts & Co., Philadelphia, Pa. * * * Distributors."

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

On October 13, 1932, a claim and answer having been filed admitting the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the execution of a bond in the sum of $1,000, conditioned that the goods be examined under the supervision of this Department and that all cans found to contain adulterated tomatoes be destroyed. It was further ordered that claimant pay costs of the proceedings.

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