

It was alleged in the libels that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, in amounts that might have rendered it injurious to health.

William Hamlin, Hartford, Mich., appeared as claimant for the property and filed an answer, admitting the allegations of the libels, and consenting to the entry of a decree. On February 18, 1933, the cases having been consolidated, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant for washing to remove the deleterious ingredients, upon payment of costs and execution of a bond in the sum of \$200, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

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

20788. Adulteration and misbranding of process Swiss cheese. U. S. v. 86 Boxes of Cheese. Default decree entered. Product delivered to charitable institution. (F. & D. no. 29757. Sample nos. 2961-A, 2971-A.)

This case involved an interstate shipment of process Swiss cheese that was deficient in fat.

On January 17, 1933, the United States attorney for the District of Minnesota, 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 86 boxes of cheese at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce, on or about December 7, 1932, by the Kraft-Phenix Cheese Corporation, from Green Bay, Wis., to Minneapolis, Minn., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Kraft Pasteurized Process Swiss Cheese Kraft-Phenix Cheese Corporation, * * * Chicago."

It was alleged in the libel that the article was adulterated in that a substance deficient in fat had been substituted for the article.

Misbranding was alleged for the reason that the statement on the label, "Process Swiss Cheese", was false and misleading and deceived and misled the purchaser when applied to a product deficient in fat. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On March 30, 1933, no claimant having appeared, judgment was entered ordering that the product be destroyed. On April 10, 1933, the decree was modified to permit delivery of the cheese to charitable institutions in view of the fact that it was fit for human consumption.

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

20789. Adulteration of canned salmon. U. S. v. 111 Cases of Canned Salmon. Claimant appeared and consented to entry of decree. Product adjudged adulterated, and ordered released under bond for segregation of decomposed portion. (F. & D. no. 29531. Sample nos. 26818-A, 26819-A, 26820-A.)

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

On November 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 a libel praying seizure and condemnation of 111 cases of canned salmon at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce on or about October 6, 1932, by the Oceanic Sales Co., from Seattle, Wash., to Cincinnati, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Plee Zing Alaska Pink Salmon * * * Oceanic Sales Co., Distributors, Seattle."

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

On January 13, 1933, the Superior Packing Co., having appeared as claimant and having consented to the entry of a decree of condemnation, judgment was entered finding the product adulterated and ordering that it be released to the claimant upon payment of costs and the execution of a bond in the sum of \$400. It was further ordered that the decomposed and putrid portion be separated from the unadulterated portion, to the end that the good portion might be disposed of lawfully.

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