

## United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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### NOTICE OF JUDGMENT NO. 306, FOOD AND DRUGS ACT.

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#### MISBRANDING OF FISH.

On or about February 1, 1910, the W. J. Orr Fish Company, of Bayport, Mich., shipped from the state of Michigan into the state of Ohio, 595 packages of fish, in three consignments. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of Ohio. In due course libels were filed against one hundred and twenty, one hundred and eighty, and two hundred and ninety-five packages of fish, respectively, charging misbranding of the product within the meaning of the act, in that it was labeled "W. J. Orr Fish Co., Orr's Choice Family White Fish, Bayport, Mich." which form of label was false, misleading and deceptive in that they reported the product to be "white fish" whereas in truth it was not "white fish," but a certain other fish known as "Lake herring."

To these libels answers were filed, respectively, by the W. L. Adamson Co., the J. K. McIntyre Co., and the Charles C. Higgins Co., of Dayton, Ohio, admitting the truth of the facts charged, and setting up claims to the goods covered by the respective libels. On March 25, 1910, the court issued an order in each case directing that the goods covered by the respective libels be released to the above-named claimants upon payment of the costs and filing of bonds to be

approved by the court, conditioned that the said product should not be sold in violation of the Food and Drugs Act of June 30, 1906, or the law of any State or Territory or insular possession.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,  
*Secretary of Agriculture.*

WASHINGTON, D. C., April 26, 1910.

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