

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2325.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF SARDINES.

On or about September 3, 1912, the United States Attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 22 cases of sardines remaining unsold in the original unbroken packages, 11 cases in the possession of the Powell Sanders Co., and 11 cases in the possession of the Benham & Griffith Co., Spokane, Wash., alleging that the product had been shipped on or about July 8, 1912, and transported from the State of California into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "100 Cans Quarters Hume's Best Brand Sardines in Pure Olive Packed by Cohn-Hume Fisheries Co., San Diego, Cal." (On cans) "Hume's Best Brand California Specially Selected Sardines Packed in Pure Olive Oil by Cohn-Hume Fisheries Co., San Diego, Cal."

Adulteration and misbranding of the product were alleged in the libels for the reason that the sardines were not packed in pure olive oil, as the labels indicated, but cottonseed oil had been used, being mixed and packed as, and substituted for, olive oil, and the labeling of the product was misleading and false so as to deceive and mislead the purchaser and so as to offer the contents for sale under the name of another article.

On October 31, 1912, the said Cohn-Hume Fisheries Co., claimant, having admitted the allegations in the libels, decrees of condemnation and forfeiture were entered and it was further ordered that the product should be released and delivered to said claimant upon payment of all costs of the proceedings, amounting to \$48.12, and the execution of bond in the sum of \$350 in conformity with section 10 of the Act.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *February 28, 1913.*