

6056. Adulteration and misbranding of sardines. U. S. * * * v. 85 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8616. I. S. No. 16126-p. S. No. W-201.)

On November 23, 1917, 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 for said district a libel for the seizure and condemnation of 85 cases, each containing 12 cans of sardines, consigned on or about October 18, 1917, by C. E. Van Landingham Co., Los Angeles, Cal., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped 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 article was labeled in part, "Balboa Brand Sardines * * * Sardelle Salate Alla Carne-Senza Testa."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy and decomposed animal substitute [substance].

Misbranding of the article was alleged for the reason that it purported to be a foreign product, whereas, in fact, it was of domestic origin and manufactured in the State of California.

On January 8, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*