

sented that the article was grain and sugar vinegar compound, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was grain and sugar vinegar compound, whereas, in truth and in fact, it was not but was an artificially colored distilled vinegar, deficient in acid strength. Misbranding was alleged for the further reason that the article was an artificially colored distilled vinegar, deficient in acid strength, prepared in imitation of and offered for sale and sold under the distinctive name of another article, to wit, grain and sugar vinegar compound.

On April 30, 1923, the defendants entered pleas of guilty to the information, and the court imposed fines in the aggregate amount of \$40 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture*

11626. Misbranding of butter. U. S. v. Spearfish Cooperative Creamery Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 17128 I. S. No. 7523-v.)

On or about April 2, 1923, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Spearfish Cooperative Creamery Co., a corporation, Spearfish, S. Dak., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 31, 1922, from the State of South Dakota into the State of Wyoming, of a quantity of butter which was misbranded. The article was labeled in part: "One Pound Net Golden Valley Butter * * * Spearfish Cooperative Creamery Co. Spearfish, S. Dakota."

Examination by the Bureau of Chemistry of this department of 100 packages of the product showed that the average net weight of the said packages was 15.12 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net," borne on the packages containing the said article, regarding the article, was false and misleading in that the said statement represented that each of the said packages contained 1 pound net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound net of the article, whereas, in truth and in fact, each of the said packages did not contain 1 pound net of the said article but did contain a less amount.

On May 23, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11627. Adulteration of canned salmon. U. S. v. 1,920 Cases, et al., of Canned Salmon. Consent decrees of condemnation and forfeiture. Product released for reshipment and reexamination under bond. (F. & D. Nos. 17170, 17171, 17172, 17180, 17229. I. S. Nos. 189-v, 253-v, 254-v, 256-v. S. Nos. E-4268, E-4270, E-4284, E-4299.)

On January 18, January 22, and February 7, 1923, respectively, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 3,089 cases of canned salmon, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Warren Packing Co., from Portland, Ore., in various consignments, namely, on or about July 19, July 26, August 2, September 12, and September 19, 1922, respectively, and transported from the State of Oregon into the State of New York, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Cases) "Bluebacks 48 8 Oz. One Half Cans." A second portion of the said article was labeled in part: (Cans) "Fresh Columbia River * * * Spring Catch Contents 8 Ounces Salmon * * * Warren Packing Company, Distributors Cathlamet, Wash. Warrendale, Ore." The remainder of the said article was labeled in part: (Cans) "Fancy Columbia River Blue Back * * * Spring Catch Contents 8 Ounces Salmon * * * Warren Packing Company, Distributors Cathlamet, Wash. Warrendale, Ore."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 10, 1923, the Warren Packing Co., claimant, having admitted the allegations of the libels and consented to the entry of decrees of condemnation