

article had been shipped by the Hilton Head Packing Co., Savannah, Ga., on or about April 1, 1922, and transported from the State of Georgia into the State of Montana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Hilton Head Brand * * * Contains 5 Oz. Oyster Meat Oysters * * * Packed By Hilton Head Packing Co. Office: Savannah, Ga."

Adulteration of the article was alleged for the reason that water and oyster juice had been mixed and packed with and substituted wholly and in fact [part] for oyster meat, the substance marked and labeled as packed in the said cans.

Misbranding of the article was alleged in the libel for the reason that the statement appearing on the label of the cans containing the said article, indicating the weight thereof, namely, "Contains 5 Oz. Oyster Meat," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight and measure.

On October 3, 1922, the Miles City Mercantile Co., Miles City, Mont., having appeared as claimant for the property and having admitted the misbranding thereof, judgment of the court was entered ordering that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$100, conditioned in part that it be relabeled to show the correct net weight of the contents of the said cans.

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

11808. Adulteration and misbranding of canned salmon. U. S. v. 165 Cases, et al., of Salmon. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 17253. I. S. No. 8759-v. S. No. C-3879.)

On February 7 and 12, 1923, respectively, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 495 cases of salmon at Memphis, Tenn., alleging that the article had been shipped by J. G. Megler & Co., from Brookfield, Wash., on or about September 26, 1922, and transported from the State of Washington into the State of Tennessee, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Columbia River Pink Salmon Woody Island Brand Brookfield Packing Co. Brookfield, Wash."

Adulteration of the article was alleged in the libels for the reason that salmon or fish other than Columbia River pink salmon, to wit, Chinook salmon, had been substituted in whole or in part for pink salmon. Adulteration was alleged for the further reason that the article consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

Misbranding of the article was alleged for the reason that the statement appearing on the labels, "Columbia River Pink Salmon," was false and misleading and was calculated to deceive and mislead the purchaser thereof, in that the said article was composed in whole or in part of decomposed Chinook salmon.

On June 28, 1923, no claimant having appeared for the property, decrees of the court were entered adjudging that the product be condemned as misbranded and adulterated, and it was ordered by the court that the said product be destroyed by the United States marshal.

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

11809. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17572. I. S. No. 4195-v. S. No. C-4054.)

On or about June 23, 1923, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 11 tubs of butter, remaining in the original tubs at Chicago, Ill., alleging that the article had been shipped by the Alobusha [Yalobusha] Cooperative Creamery, Water Valley, Miss., June 2, 1923, and transported from the State of Mississippi into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in milk fat and high in moisture had been substituted in