

**11838. Adulteration of canned sardines. U. S. v. 598 Cases, et al., of Sardines. Consent decree ordering release of product under bond to be culled and repacked.** (F. & D. No. 17730. I. S. Nos. 2246-v, 2247-v, 2249-v. S. No. E-4471.)

On August 17, 1923, the United States attorney for the Western District of Pennsylvania, 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 846 cases of sardines at Pittsburgh, Pa., alleging that the article had been shipped by the Columbian Canning Co., from St. Andrews, New Brunswick, Canada, on or about July 31, 1923, and transported from a foreign country into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously, in part: "Vender Brand American Sardines In Cottonseed Oil Packed By Columbian Canning Co. Lubec \* \* \* Me.;" "Champion Brand American Sardines \* \* \* Columbian Canning Co. \* \* \* Lubec, Maine;" "Columbian \* \* \* Packed At Lubec Washington Co. Me. By Columbian Canning Co."

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

On August 18, 1923, the Columbian Canning Co., Lubec, Me., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that it be culled and repacked.

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

**11839. Adulteration of shell eggs. U. S. v. 16 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 17754. I. S. No. 7026-v. S. No. C-4085.)

On August 2, 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 16 cases of eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Bellman Produce Co., from Yankton, S. Dak., July 25, 1923, and transported from the State of South Dakota into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

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

On September 8, 1923, A. F. Thibodeau Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled under the supervision of this department, the bad portion destroyed and the good portion released.

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

**11840. Misbranding of Vitalitas. U. S. v. 106 Cases of Vitalitas. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5890. S. No. C-69a.)

On August 28, 1914, the United States attorney for the Eastern District of Louisiana, 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 106 cases of Vitalitas, consigned from Houston, Tex., remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Vital Remedies Co., on or about August 4, 1914, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act. **as amended.**

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of approximately 97½ per cent of water, approximately 2½ per cent of iron sulphate and aluminum sulphate, and traces of other mineral salts.