

14, 1923, and transported from the State of Maryland into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Potomac Brand Hand Packed Tomatoes * * *. Packed By A. J. Lewis Walnut Point, Va."

Adulteration of the article was alleged in the libel for the reason that additional water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the labels on the cases containing the article bore the following statement, "Hand Packed Tomatoes Our Extra Quality," which said statement was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On June 10, 1924, Andrew J. Lewis, Walnut Point, Va., having appeared as claimant for the property and the court having found the issues of the case for the Government, judgment of condemnation 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 good and sufficient bond, in conformity with section 10 of the act.

HOWARD M. GORE, *Secretary of Agriculture.*

12664. Adulteration of canned salmon. U. S. v. 156 Cases, et al., of Salmon. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. Nos. 17316, 17437, 17442. I. S. Nos. 2108-v, 2109-v, 2110-v, 2111-v, 2112-v, 2113-v. S. Nos. E-4318, E-4341, E-4346.)

On or about March 1, 1923, and on March 27 and 29, 1923, respectively, the United States attorney for the Western 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 469 cases of salmon, remaining in the original unbroken packages at Buffalo, N. Y., consigned by Griffith Durney & Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., in various consignments, namely, on or about September 23, October 21, and December 29, 1922, respectively, and transported from the State of Washington into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Klawack Brand Fresh Alaska Pink Salmon Packed At Klawack, Alaska, U. S. A. By The North Pacific Trading And Packing Company San Francisco, Cal."

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

On May 1, 1924, the cases having been consolidated into one action and the North Pacific Trading & Packing Co., San Francisco, Calif., claimant, having admitted the allegations of the libel and having 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 \$2,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department and the bad portion destroyed.

HOWARD M. GORE, *Secretary of Agriculture.*

12665. Adulteration of shell eggs. U. S. v. 43 Cases of Eggs. Product examined; bad portion destroyed and good portion released. (F. & D. No. 17734. I. S. No. 6351-v. S. No. C-4082.)

On July 17, 1923, 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 a libel praying the seizure and condemnation of 43 cases of eggs, at Memphis, Tenn., consigned July 11, 1923 alleging that the article had been shipped by Cockman Bros. Produce Co., Thayer, Mo., and transported from the State of Missouri into the State of Tennessee, and charging adulteration in violation of the food and drugs act.

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

On July 20, 1923, The Cochran Produce Co., Thayer, Mo., having appeared as claimant for the property, and the product having been theretofore examined