

as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said cans contained 1 gallon net, one-half gallon net, or 1 quart net of the said article, as the case might be, whereas, in truth and in fact, each of the said cans did not contain the amount declared on the respective labels but did contain a less amount. 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 package.

On December 4, 1924, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

12894. Adulteration of canned salmon. U. S. v. 1,823 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released to be used as fish food. (F. & D. No. 17881. I. S. No. 8401-v. S. No. W-1431.)

On October 27, 1923, 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 praying the seizure and condemnation of 1,823 cases of salmon, remaining in the original unbroken packages at Seattle Wash., alleging that the article had been shipped by the Hidden Inlet Canning Co., from Hood Bay, Alaska, October 10, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "My-T-Fine Brand Choice Pink Salmon."

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 November 15, 1924, the Hidden Inlet Canning Co., Inc., 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 delivered to the Oregon State Fish Commission to be used for fish food and that the claimant pay the costs of the proceedings

W. M. JARDINE, *Secretary of Agriculture*

12895. Adulteration of canned salmon. U. S. v. 760 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. No. 18917. I. S. No. 7763-v. S. No. W-1556.)

On August 20, 1924, 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 praying the seizure and condemnation of 760 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Alaska Consolidated Canneries, from Tenake, Alaska, June 20, 1924, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Target Brand Alaska Pink Salmon Packed in Alaska By Columbia Salmon Co. Seattle, Wash."

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 November 21, 1924, the Alaska Consolidated Canneries, 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 \$500, 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.

W. M. JARDINE, *Secretary of Agriculture.*

12896. Misbranding of meat scrap. U. S. v. 400 Sacks of Meat Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No 18801. I. S. No. 16651-v. S. No. E-4870.)

On June 24, 1924, the United States attorney for the Southern District of Florida, 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 400 sacks of meat scrap, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Norfolk Tallow Co., from Portsmouth, Va., on or about May

27, 1924, and transported from the State of Virginia into the State of Florida, and charging misbranding in violation of the food and drugs act.

Misbranding of the article was alleged in the label for the reason that the label bore the following statement regarding the said article or the ingredients or substances contained therein, "High Grade AA Meat Scraps Guaranteed Analysis Protein Min. 45%," which was false and misleading and deceived and misled the purchaser.

On August 2, 1924, the Norfolk Tallow Co., Portsmouth, Va., having appeared as claimant for the property and having admitted the allegations of the label, 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 bond in the sum of \$800, in conformity with section 10 of the act, conditioned that it be relabeled so as to describe the said product accurately and correctly, and it was further ordered by the court that the claimant be permitted to remill the product so as to add sufficient protein to bring it up to 45 per cent protein.

W. M. JARDINE, *Secretary of Agriculture.*

12897. Misbranding of butter. U. S. v. 180 Pounds of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18913. I. S. No. 20276-v. S. No. W-1539.)

On July 29, 1924, 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 label praying the seizure and condemnation of 180 pounds of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been delivered for shipment from the State of Washington into the Territory of Alaska, on or about July 29, 1924, by Turner & Pease Co., Inc., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Wrapper) "Meadowbrook Fancy Creamery * * * Manufactured Exclusively By Turner & Pease Co. Seattle, Washington one Pound Net Weight."

Misbranding of the article was alleged in the label for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 27, 1924, Turner & Pease Co., Inc., Seattle, Wash., claimant, having admitted the allegations of the label 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 \$200, in conformity with section 10 of the act, conditioned in part that it be repacked and relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

12898. Misbranding of butter. U. S. v. Kosciusko Creamery, a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 17817. I. S. Nos. 6877-v, 6880-v.)

On April 7, 1924, the United States attorney for the Northern District of Mississippi, 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 Kosciusko Creamery, a corporation, Kosciusko, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, in two consignments, namely, on or about June 19 and 23, 1923, respectively, from the State of Mississippi into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Kosciusko's Mississippi Prize Creamery Butter * * * Kosciusko Creamery, Kosciusko, Miss. * * * One Pound Net Weight."

Examination by the Bureau of Chemistry of this department of 78 cartons from one lot of the product and 50 cartons from the remaining lot showed that the average net weight of the said lots was 15.69 ounces and 15.33 ounces, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net Weight," borne on the packages containing the said article, was false and misleading, in that the said statement represented that each of said packages contained 1 pound net weight of butter, 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 said packages contained 1 pound net weight of butter, whereas, in truth and in fact, each of said packages