

shipment by said defendant, in violation of the food and drugs act as amended, on or about February 21, 1924, from the State of Mississippi into the State of Alabama, of a quantity of crab meat which was misbranded. The article was contained in 31 unlabeled cans and was shipped in a tub labeled in part: "From W. B. Skinner & Co. \* \* \* Biloxi, Miss. Tubs 31# Crab Meat."

Misbranding of the article was alleged in the information for the reason that it was food in package form, to wit, food in unlabeled cans, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding was alleged for the further reason that the statement, to wit, "31# Crab Meat," borne on the tag attached to the tub containing the said cans, was false and misleading, in that the said statement represented that the tub contained 31 pounds of crab meat and that each of the cans contained 1 pound net of crab meat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said tub contained 31 pounds of crab meat and that each can contained 1 pound net of crab meat, whereas the tub did not contain 31 pounds of crab meat, and the said cans did not each contain 1 pound net of crab meat but did contain a less amount.

On June 8, 1926, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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

**14497. Adulteration of canned sardines. U. S. v. 7 Cases, et al., of Sardines. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 19403. I. S. Nos. 13852-v, 13853-v. S. No. E-5057.)

On December 23, 1924, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 16 cases and 146 cans of sardines, remaining in the original unbroken packages at Nashua, N. H., consigned by the Bayshore Sardine Co., Columbia, Me., alleging that the article had been shipped from Columbia, Me., in part June 16, 1924, and in part October 9, 1924, and transported from the State of Maine into the State of New Hampshire, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Seiner Brand" (or "B. & S. Brand") "American Sardines \* \* \* Packed By Bayshore Sardine Co. Addison Me."

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

On June 3, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**14498. Adulteration of rice. U. S. v. 189 Bags of Rice. Product ordered released under bond.** (F. & D. No. 20584. I. S. No. 4817-x. S. No. E-5562.)

On November 7, 1925, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 189 bags of rice, at Mayaguez, P. R., alleging that the article had been shipped by Adolph Pfeffer & Co., Beaumont, Tex., on or about July 9, 1925, and transported from the State of Texas into the Territory of Porto Rico, 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 or putrid vegetable substance.

On December 14, 1925, Jose Gonzales Clemente & Co., Mayaguez, P. R., having appeared as claimant for the property, judgment was entered, sustaining the allegations of the libel, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$750, conditioned in part that it be denatured so as to make it fit only for animal feed, said bond being further conditioned upon payment of the costs of the proceedings and the expense of supervising the cleaning of the rice.

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