

**15470. Adulteration of canned salmon. U. S. v. 75 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22092. I. S. Nos. 12967-x, 12968-x. S. No. 138.)**

On October 10, 1927, 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 seizure and condemnation of 75 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Sunnypoint Packing Co., from Seward, Alaska, on August 14, 1927, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

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

On December 23, 1927, 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.*

**15471. Adulteration and misbranding of butter. U. S. v. Larsen-Fenn Co., Inc. (Valdosta Creamery). Plea of nolo contendere. Fine, \$25. (F. & D. No. 19798. I. S. No. 7492-x.)**

On June 4, 1927, the United States attorney for the Middle District of Georgia, 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 Larsen-Fenn Co., Inc., a corporation, trading as the Valdosta Creamery, Valdosta, Ga., alleging shipment by said company, on or about April 16, 1926, from the State of Georgia into the State of Florida, of a quantity of butter which was adulterated and misbranded.

Examination by this department of four subdivisions from the shipment showed an average milk fat content of 75.09 per cent.

It was alleged in the information that the article was adulterated, in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the packages containing the article, was false and misleading in that the said statement represented that the said article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it was a product which did not contain 80 per cent by weight of milk fat, but did contain a less amount.

On September 19, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

**15472. Adulteration of canned sweet potatoes. U. S. v. 220 Cases of Canned Sweet Potatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22299. I. S. No. 15831-x. S. No. 272.)**

On December 15, 1927, the United States attorney for the Southern District of Ohio, 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 220 cases of canned sweet potatoes, at Cincinnati, Ohio, consigned by the John W. Taylor Packing Co., Hallwood, Va., about October 5, 1927, alleging that the article had been transported in interstate commerce from the State of Virginia into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Hallwood Brand Packed by John W. Taylor Packing Co., Hallwood, Va. \* \* \* Sweet Potatoes."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On January 6, 1928, 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.*