

18994. Misbranding of cottonseed meal. U. S. v. Central Cotton Oil Co. Plea of guilty. Fine, \$25. (F. & D. No. 26546. I. S. No. 18356.)

Samples of cottonseed meal from the shipment herein described having been found to contain less protein and more fiber than declared on the label, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Georgia.

On August 31, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Central Cotton Oil Co., a corporation, Macon, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about September 9, 1930, from the State of Georgia into the State of Kentucky, of a quantity of cottonseed meal that was misbranded. The article was labeled in part: "'Pinta" Columbus Brand 41% Cottonseed Meal Made for Dan Joseph Co., Columbus, Ga. Guaranteed Analysis, Per Cent, Protein 41.00. * * * Fiber 10.00."

It was alleged in the information that the article was misbranded in that the statements, "41% Cottonseed Meal * * * Guaranteed Analysis, Per Cent, Protein 41.00, Fiber 10.00," borne on the tags attached to the sacks containing the said article, were false and misleading in that the said statements represented that the article contained 41 per cent of protein and 10 per cent of fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 41 per cent of protein and 10 per cent of fiber; whereas it contained less than 41 per cent of protein and more than 10 per cent of fiber.

On September 17, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18995. Adulteration of canned salmon. U. S. v. 704 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27018. I. S. No. 22364. S. No. 5241.)

Samples of canned salmon from the shipment herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On October 1, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 704 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Continental Can Co., from Ketchikan, Alaska, on or about August 4, 1931, and had been transported from 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 in whole or in part of a decomposed animal substance.

On December 7, 1931, the Continental Can Co., Seattle, Wash., 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 said claimant upon payment of costs and the execution of a bond in the sum of \$750, conditioned in part that it be sorted under the supervision of this department in order to separate the good portion from the decomposed portion, and further conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession. The decree further ordered that upon compliance with the conditions of the bond, the unadulterated portion be released and the remainder destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18996. Adulteration of canned salmon. U. S. v. 3,024 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26927. I. S. No. 22330. S. No. 5143.)

Samples of canned salmon from the shipment herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On August 29, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 3,024 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Superior Packing Co., Tenakee, Alaska, on or about July 28, 1931, and had been transported from Alaska into the State of Washington, and charging

adulteration in violation of the food and drugs act. The article was labeled in part: "Alaska Brand Salmon Eat More Salmon."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

On October 23, 1931, the Superior Packing Co., Tenakee, Alaska, 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be sorted under the supervision of this department in order to separate the good portion from the decomposed portion, and further conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18997. Misbranding of cane sirup. U. S. v. 47 Cases of Sirup. Product ordered released under bond to be relabeled or destroyed. (F. & D. No. 27051. I. S. No. 36958. S. No. 5268.)

Sample cans of cane sirup from the shipment herein described having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Texas.

On October 10, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 47 cases of cane sirup, remaining in the original packages at Houston, Tex., alleging that the article had been shipped by the New Orleans Coffee Co., from New Orleans, La., on or about December 31, 1930, and had been transported from the State of Louisiana into the State of Texas, and charging misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was misbranded in that the labels of the cans containing the article bore the statements, to wit, "New South Brand Pure Sugar Cane Syrup Packed by New Orleans Coffee Co. Ltd., New Orleans, La. Contains Sulphur Dioxide Net Volume 3 Qts. 8 Fl. Ozs. Net Weight 9 Pounds 3 Ozs.," which statements were false and misleading and deceived and misled the purchaser, since the weight and quantity of the article contained in the said cans were less than the weight and quantity declared on the label. 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 packages, since the volume and weight of the contents were less than represented.

On October 19, 1931, the New Orleans Coffee Co. (Ltd.), New Orleans, La., having appeared as claimant for the property, and the court having found that the essential allegations of the libel were true, a decree was entered ordering that the goods be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it should not be sold or otherwise disposed of contrary to the provisions of the laws of the United States or of any State, Territory, district, or insular possession. Subsequently an amendment to the decree was filed ordering that the cans of sirup which were short weight be segregated and relabeled or destroyed.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18998. Adulteration of herring. U. S. v. 4 Boxes, et al., of herring. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 26830, 27150, 27154, 27157. I. S. Nos. 37208, 40009, 40595, 40598. S. Nos. 5014, 5118, 5119, 5295.)

Samples of herring from the shipments herein described having been found to contain worms, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On August 12, 13, and 19, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 14 boxes of herring at Chicago, Ill., alleging that the article had been shipped by T. R. Midbrod, from Beaver Bay, Minn., on or about July 28, 1931, August 7, 1931, and August 14, 1931, and had been transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance. Adulter-