

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 506, FOOD AND DRUGS ACT.

MISBRANDING OF CODFISH STRIPS.

On or about November 8, 1909, the Union Fish Company, a corporation, San Francisco, Cal., shipped from the State of California to the State of Oregon 35 boxes of a food product, each of which boxes was labeled on the end thereof "Choice Codfish Strips Packed for Mason, Ehrman & Co., Portland, Oregon," and on the side thereof "Norway Cod Strips." Examination of samples of this product, made by the Bureau of Chemistry, United States Department of Agriculture, showed it to be misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Oregon.

In due course a libel was filed in the District Court of the United States for said district against the said 35 boxes, charging the product to be misbranded, because the above-quoted label was intended to and would deceive and mislead a purchaser thereof, and represented said codfish strips to be a foreign product when not so, the fish contained in said boxes having been caught in the waters of the Pacific Ocean, in the vicinity of the Pacific coast of the American continent, and packed and cured by the said Union Fish Company at San Francisco, Cal., or at some other place along the Pacific coast of North America; and praying condemnation and forfeiture of the product. Thereupon Mason, Ehrman & Co. entered their appearance and claimed the ownership of the product, and availing themselves of the provisions of section 10 of the act, filed and executed a bond in the sum of \$250, conditioned that if the product in question should be delivered to them and all costs of the proceedings paid by them it should not be sold or otherwise disposed of contrary to law.

The case coming up for hearing, and it appearing to the satisfaction of the court that the costs of said proceedings had been paid by said Mason, Ehrman & Co., and a good and sufficient bond conditioned

as aforesaid filed by them, a decree was entered ordering the condemnation of the product, but that it be delivered to said claimants in conformity with the provisions of the above-cited section 10 of the act, which order was forthwith executed.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *June 25, 1910.*

