

5970. Adulteration and misbranding of whitefish. U. S. * * * v. A. C. L. Haase & Sons Fish Co., a corporation. Plea of guilty. Fine, \$30 and costs. (F. & D. No. 8313. I. S. No. 10751-m.)

On September 6, 1917, the United States attorney for the Eastern District of Missouri, 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 A. C. L. Haase & Sons Fish Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 28, 1916, from the State of Missouri into the State of Kansas, of a quantity of an article labeled in part, "Extra Family Best Grade Cisco White Fish," which was adulterated and misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the fish were lake herring.

Adulteration of the article was alleged in the information for the reason that lake herring had been substituted wholly for whitefish, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, "White fish," borne on the label thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article was whitefish, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was whitefish, whereas, in truth and in fact, it was not, but was another variety of fish, to wit, lake herring, and this false, misleading statement and deceptive labeling were not corrected by the presence on the label of the word, "Cisco," which was entirely obscured by the shipping tag. Misbranding of the article was alleged for the further 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 in terms of weight, measure, or numerical count.

On December 11, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$30 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*