

Adulteration of the article was alleged in the libel for the reason that a substance low in protein had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and had been substituted in whole or in part for cottonseed meal containing 36 per cent of protein, the equivalent of 5.75 per cent of nitrogen, which the said article purported to be.

Misbranding of the article was alleged for the reason that the statement regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed Analysis Protein 36.00% Equivalent Nitrogen 5.75%," borne on the sacks containing the article, was false and misleading and deceived and misled the purchaser in that the said statement represented that the article contained 36 per cent of protein, the equivalent of 5.75 per cent of nitrogen, whereas, in fact and in truth, it did not but did contain a less amount.

On April 17, 1923, the Humphreys-Godwin Co., Memphis, Tenn., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11459. Adulteration and misbranding of canned salmon. U. S. v. 24 Cases and 48 Cases of Salmon. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 17454. I. S. Nos. 8660-v, 8661-v. S. No. W-1369.)

On April 12, 1923, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 72 cases of salmon, remaining in the original unbroken packages at San Francisco, Calif., consigned by C. O. Swanson, Hoquiam, Wash., alleging that the article had been shipped from Hoquiam, Wash., March 23, 1923, and transported from the State of Washington into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. A portion of the article was labeled in part: (Can) "Salmon * * * Packed by Hoquiam Packing Co. Hoquiam, Wash. Copalis Brand * * * Salmon Pink." The remainder of the said article was labeled in part: "Copalis Brand * * * Salmon Chinook * * * Hoquiam Packing Co. Hoquiam, Wash."

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

Misbranding was alleged for the reason that the statements, "Pink" and "Chinook," appearing on the respective containers, were false and misleading and deceived and misled the purchaser.

On April 24, 1923, the claimant for the property having appeared and 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 destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11460. Adulteration and misbranding of tuna fish. U. S. v. 675 Cases of Tuna Fish. Decree entered ordering release of product under bond to be relabeled. (F. & D. No. 13683. I. S. No. 12093-r. S. No. C-2504.)

On September 14, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 675 cases of tuna fish at Memphis, Tenn., alleging that the article had been shipped by the Curtis Corp., from Long Beach, Calif., on or about March 18, 1920, and transported from the State of California into the State of Tennessee, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Curtis Brand California Tuna White Meat * * * Packed By The Curtis Corporation Long Beach, Cal."

Adulteration of the article was alleged in the libel for the reason that fish other than white meat tuna, to wit, blue fin tuna, Bonita, and striped-tuna, had been mixed and packed with and substituted in part for white meat tuna.