

11474. Adulteration of canned salmon. U. S. v. 15 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15944. I. S. Nos. 3365-t, 3366-t. S. No. C-3410.)

On February 5, 1922, the United States attorney for the Eastern District of Louisiana, 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 15 cases of salmon, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Seaboard Co., from Seattle, Wash., on or about November 16, 1921, and transported from the State of Washington into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kay-Square Brand * * * Select Pink Salmon * * * Kenai Packing Co. Seattle, Wash."

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

On March 20, 1922, 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.

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

11475. Adulteration and misbranding of corn oil. U. S. v. 3 Cases of Corn Oil. Default decree of condemnation, forfeiture, and destruction or sale. (F. & D. No. 16339. I. S. Nos. 15560-t, 15572-t. S. No. E-3877.)

On May 24, 1922, the United States attorney for the District of Connecticut, 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 3 cases of corn oil, remaining unsold in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped by the Salvati Olive Oil Co., New York, N. Y., on or about March 4, 1922, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Marzo Brand Pure Corn Oil * * * Prodotto Speciale Usabile Egualmente Come Olio D'Oliva Net Contents 1 Gallon."

Adulteration of the article was alleged in the libel for the reason that oil other than olive oil, which the article purported to be, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding of the article was alleged in substance for the reason that the labels upon the cases containing the said article bore the following statements, "Olio D'Oliva * * * Net Contents 1 Gallon," which statements, together with the use of the Italian language, were false and misleading and deceived and misled the purchaser. Misbranding was alleged in substance for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, for the further reason that it purported to be a foreign product when, in truth and in fact, it was a product of domestic manufacture, and 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.

On September 18, 1922, 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 or sold if a sale could be speedily effected.

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

11476. Adulteration of tangerines. U. S. v. 390 Boxes of Tangerines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17313. I. S. No. 4130-v. S. No. C-3889.)

On February 9, 1923, the United States attorney for the Northern District of Illinois, 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 390 boxes of tangerines at Chicago, Ill., alleging that the article had been shipped by Hinds-Fuchs-Nierman, from Florence Villa, Fla., January 27, 1923, and transported from the State of Florida into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously as follows: "Cat Brand;" "Gondola Brand;" and "Yankee Boy Brand."