

13515. Adulteration of canned salmon. U. S. v. 8 Cases of Salmon. Decree of condemnation and forfeiture. Product delivered to fish hatcheries for fish food. (F. & D. No. 17827. I. S. No. 12056-v. S. No. W-1419.)

On September 14, 1923, the United States attorney for the Western District of Washington, 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 8 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Stuart Packing Corp., from Ketchikan, Alaska, July 21, 1923, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Nemo Pink Salmon Packed By Stuart Packing Corp. * * * Seattle."

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

On October 22, 1923, the Stuart Packing Corp., Seattle, Wash., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the State hatcheries to be used as fish food.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13516. Adulteration and misbranding of coffee. U. S. v. 100 Pounds of Coffee. Default decree of condemnation and forfeiture. Product ordered delivered to charitable institution or destroyed. (F. & D. No. 19887. I. S. No. 16380-v. S. No. E-5166.)

On March 11, 1925, the United States attorney for the Southern District of Georgia, 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 100 pounds of coffee, remaining in the original unbroken packages at Macon, Ga., alleging that the article had been shipped by the Private Estate Coffee Co., from New York, N. Y., on or about February 18, 1925, and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Fibre case) "From Private Estate Coffee Company, New York." The bags containing the article had the statement "16 oz. Net" stamped on the bottom thereof and the statement in very small inconspicuous type "Coffee & Chicory."

Adulteration of the article was alleged in the libel for the reason that substances, cereal and chicory, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the designation "Coffee & Chicory," borne on the bags containing the article, was false and misleading and deceived and misled the purchaser, for the further reason that the article was offered for sale under the distinctive name of another article, 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 June 25, 1925, 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 delivered to a charitable institution if found not deleterious to health, or if such fact could not be established that it be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13517. Adulteration and misbranding of scallops. U. S. v. Sidney F. Smith and Laura Smith (S. F. Smith Co.). Pleas of guilty. Fine, \$100. (F. & D. No. 19246. I. S. No. 12895-v.)

On March 21, 1925, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sidney F. Smith and Laura Smith, copartners, trading as S. F. Smith Co., Oyster, Va., alleging shipment by said defendants from Cheriton, Va., in violation of the food and drugs act, on or about March 20, 1924, from the State of Virginia into the State of New York, of a quantity of scallops which were adulterated and misbranded.