

Examination by the Bureau of Chemistry of this department of 7 cans and 12 cans from the two consignments showed an average shortage of 4.4 and 3.9 fluid ounces, respectively.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Minimum Volume 1 Gallon," borne on the cans containing the said article, was false and misleading, in that the said statements represented that the cans contained not less than 1 gallon of oysters, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said cans contained not less than 1 gallon of oysters, whereas the cans did contain less than 1 gallon of oysters. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 11, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

13560. Adulteration of canned salmon. U. S. v. 10,558 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18938, 18945, 18966, 18980, 19020. I. S. Nos. 20219-v, 20221-v, 20287-v, 20288-v, 20289-v, 20294-v. S. Nos. W-1569, W-1575, W-1583, W-1584, W-1589.)

On January 17, 1925, 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 a libel praying the seizure and condemnation of 10,558 cases of salmon, remaining in the original unbroken packages at Anacortes, Wash., consigned by the Alaska Herring & Sardine Co., from Port Walter, Alaska, alleging that the article had been shipped in interstate commerce from the Territory of Alaska into the State of Washington, arriving at Anacortes at different times during the months of August and September, 1924, and charging adulteration in violation of the food and drugs act.

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

On January 22, 1925, the Alaska Herring & Sardine Co., claimant, having admitted that a portion of the product was adulterated and having 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 released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$23,000, in conformity with section 10 of the act, conditioned in part that the unadulterated portion be separated from the adulterated portion under the supervision of this department, and the former released and the latter destroyed.

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

13561. Adulteration of canned salmon. U. S. v. 8,892 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18939, 18943, 18986, 19039, 19047, 19147. I. S. Nos. 20218-v, 20220-v, 20290-v, 20293-v, 21058-v, 21071-v. S. Nos. W-1570, W-1574, W-1586, W-1593, W-1603.)

On January 17, 1925, 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 8,892 cases of salmon, remaining in the original unbroken packages at Anacortes, Wash., consigned by J. L. Smiley & Co., from Ketchikan, Alaska, alleging that the article had been shipped from Alaska, arriving at Anacortes at different times during the months of August, September, and October, 1924, and had been transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act.

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

During the month of January, 1925, J. L. Smiley & Co., Ketchikan, Alaska, claimant, having admitted that a portion of the product was adulterated and having 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 released to the said claimant upon payment of the costs of the proceedings and