

Issued April 30, 1913.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 2251.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF SARDINES.

On or about September 3, 1912, the United States Attorney for the Eastern 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 for the seizure and condemnation of 22 cases of sardines remaining unsold in the original unbroken packages and in the possession of the McClintock-Trunkey Co., a corporation, Spokane, Wash., alleging that the product had been shipped from the State of California into the State of Washington on or about July 11, 1912, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "100 cans Quarters Humes Best Brand Sardines in Pure Olive Oil Packed by Cohn-Hume Fisheries Co., San Diego, Cal." (On cans) "Humes Best Brand California Specially Selected Sardines Packed in Pure Olive Oil by Cohn-Hume Fisheries Co., San Diego, Cal."

Adulteration and misbranding of the product were alleged in the libel for the reason that the sardines were not packed in pure olive oil as the label indicated, but cottonseed oil had been used, being mixed and packed as a substitute for olive oil, and the labeling of the cans of sardines was misleading and false so as to deceive and mislead the purchaser and so as to offer the contents for sale under the name of another article.

On October 31, 1912, the said Cohn-Hume Fisheries Co., a corporation, claimant, San Diego, Cal., having filed its claim and answer admitting the allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was further ordered that the product should be released and delivered to said claimant upon payment of all the costs of the proceeding and the execution of bond in the sum of \$350, in conformity with section 10 of the Act.

W. M. HAYS,

*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 25, 1913.*

