

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2391.

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

MISBRANDING OF SALT.

On November 18, 1912, the United States Attorney for the Middle 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 for the seizure and condemnation of 110 barrels of so-called fine salt remaining unsold in the original unbroken packages and in possession of the Louisville & Nashville Railroad Co., at Clarksville, Tenn., consigned to Hurst-Boillin Co., alleging that the product had been shipped on or about November 7, 1912, by the Liverpool Salt & Coal Co., Hartford City, W. Va., from the State of West Virginia into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "Liverpool Salt Co., Hartford City, W. Va. Com. Fine 7 Bu. (Picture of deer head)."

Misbranding of the product was alleged in the libel for the reason that the numerals and letters placed or branded on each of the barrels of the product to indicate the true or net contents therein in bushels or measure, were false and misleading, each of said barrels containing a smaller quantity of bushels or pounds than the numerals and letters thereon indicated, and the contents of the barrels as to quantity or bushels were not correctly stated by the brands on the same nor by the invoice in any instance but the contents of each barrel, the quantity of salt therein, was less by several pounds or part of a bushel than indicated by the invoice and by the numerals and letters on said barrels, the product being thereby misbranded in violation of the Food and Drugs Act so as to mislead purchasers and others.

On December 20, 1912, the said Liverpool Salt & Coal Co., claimant, having filed its answer consenting to a decree, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be released and restored to said claimant upon payment of all costs and expenses incurred in the proceeding and the execution and delivery of a bond in the sum of \$300 in conformity with section 10 of the Act.

WILLIS L. MOORE,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *March 3, 1913.*

2391

