

United States for said district a libel for the seizure and condemnation of 875 cases, each containing 48 cans of salmon, remaining unsold in the original unbroken packages and in possession of the National Grocer Co., Louisville, Ky., alleging that the product had been shipped on April 27, 1912, by Gorman & Co., Seattle, Wash., and transported from the State of Washington into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "4 Doz. Tins Rob Roy Brand Canned Salmon." (On cans) "Rob Roy Brand Salmon Directions Serve Cold or Hot. If heated boil the Can 30 minutes before opening. Rob Roy Brand. Caught in Salt Water. Empty Contents of Can as soon as opened."

Adulteration of the product was alleged in the libel for the reason that it consisted in part of a filthy and decomposed animal substance.

On September 2, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 6, 1914.

**3103. Adulteration and misbranding of vinegar. U. S. v. 25 Barrels of Sugar Vinegar. Decree of condemnation and forfeiture. Product released on bond.** (F. & D. No. 5221. S. No. 1806.)

On May 12, 1913, the United States Attorney for the Eastern District of Arkansas, 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 25 barrels of sugar vinegar, remaining unsold in the original unbroken packages at Jonesboro, Ark., alleging that the product had been transported in interstate commerce and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Cairo Cider & Vinegar Co.—Sugar Vinegar—Cairo, Ill., 50 Gals. 30 Grain."

It was alleged in the libel that the product had been misbranded and adulterated by adding water which had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and that said barrels were misbranded "Sugar Vinegar, 30 Grain" within the meaning of the Food and Drugs Act.

On November 13, 1913, Johnson, Berger & Co., Jonesboro, Ark., having filed their claim for the product, and the case having been submitted to the court, upon consideration thereof, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceeding, and the execution of bond in the sum of \$200 in conformity with section 10 of the act. It was further ordered that if the costs were not paid and bond filed by the claimant within 30 days after the rendition of the decree, the product should be sold by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 6, 1914.

**3104. Adulteration of salmon. U. S. v. 300 Cases of Salmon. Decree of condemnation by default. Product ordered destroyed.** (F. & D. No. 5222. S. No. 1808.)

On May 12, 1913, the United States Attorney for the Eastern District of Missouri, 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 300 cans of salmon, remaining unsold in the original unbroken packages, and in possession of the Merchants National Grocer Co., St. Louis, Mo., alleging that the product had been shipped by A. B. Field & Co., San Francisco, Cal., and transported in interstate commerce from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On cases) "Archer 4 Doz. Talls Brand (Design of Indian with bow and arrow) (Design of fish) Alaska

Salmon Packed for A. B. Field & Co., Inc., Agents—San Francisco;” (on cans) “Archer Brand (Design of Indian with bow and arrow) Alaska Salmon Red (Design of Fish) A. B. Field & Co. Inc., Distributors—San Francisco.”

Adulteration of the product was alleged in the libel for the reason that it was putrid and decomposed, and had a pronounced and offensive bad odor, and said fish were known as “do-overs,” and the same consisted wholly or in large part of filthy, putrid, and decomposed animal product and substance, and were wholly unfit for use as food.

On June 5, 1913, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 6, 1914.

**3105. Adulteration and misbranding of butter. U. S. v. Christo Brandy. Plea of guilty Fine, \$10.** (F. & D. No. 195-c.)

On November 24, 1913, the United States Attorney for the District of Columbia, acting upon a report by the Health Officer of said District, authorized by the Secretary of Agriculture, filed an information in the Police Court of the District aforesaid against Christo Brandy, Washington, D. C., alleging the sale by said defendant, in violation of the Food and Drugs Act, on October 16, 1913, at the District aforesaid, of a quantity of so-called butter, which was adulterated and misbranded. The product bore no label. Adulteration of the product was alleged in the information for the reason that another substance, namely, oleomargarine, had been substituted for the butter in whole and in part. Misbranding was alleged for the reason that the product was an imitation of butter and was offered for sale and was sold under the distinctive name of another article of food.

On November 24, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., May 6, 1914.

**3106. Adulteration and misbranding of canned peas. U. S. v. 50 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5223. S. No. 1810.)

On May 14, 1913, 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 for the seizure and condemnation of 50 cases, each containing 24 cans of peas, remaining unsold in the original unbroken packages and in possession of the Nixon Grocery Co., Augusta, Ga., alleging that the product had been shipped on or about April 1, 1913, by S. H. Levin's Sons, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) “2 dozen No. 2 cans—Celtic Brand peas—Packed from Dried green peas—by Alonzo Jones, Leipsic.” (On cases) “Celtic brand peas—Packed from Dried green peas. Contents: Peas, salt, sugar and water—Celtic Brand—Alonzo Jones, Packer, Leipsic, Del.” Labels also bore pictures of green peas in a number of pods.

Adulteration of the product was alleged in the libel for the reason that each of the cans of peas contained peas sour in both taste and odor, and said peas consisted wholly or in part of decomposed vegetable matter known to the trade as “Sour Flat,” and said peas were not fit for use as a food product.

Misbranding was alleged for the reason that the labels on the cans, with the pictures of fresh peas in pods, conveyed the impression that the cans contained fresh peas, and there was nothing appearing plainly and conspicuously on the labels to show that the peas were not fresh or to show that the same were sour.