

8109. Adulteration of canned salmon. U. S. * * * v. 660 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11096. S. No. C-1419.)

On or about August 21, 1919, the United States attorney for the Southern District of Mississippi, 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 a certain quantity of a certain article, labeled in part "Sunny Point Brand Salmon," remaining unsold in the original unbroken packages at Gulfport, Miss., alleging that the article had been shipped on or about August 18, 1919, by the International Trading & Rice Corp., New Orleans, La., and transported from the State of Louisiana into the State of Mississippi, and charging adulteration in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was partially decomposed.

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

On January 5, 1920, 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 destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8110. Adulteration and misbranding of dairy feed. U. S. * * * v. Viehman Grain Co., a Corporation. Plea of guilty. Fine, \$1. (F. & D. No. 11131. I. S. Nos. 12511-r, 12512-r, 12608-r, 12609-r.)

On April 6, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Viehman Grain Co., Minneapolis, Minn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on February 27, February 21, February 18, and March 30, 1918, from the State of Minnesota into the States of Vermont and Massachusetts, of a certain quantity of a certain article which was adulterated and misbranded. The article was labeled in part, "Diamond Dairy Feed."

Analysis of samples of the article by the Bureau of Chemistry of this department showed that the ingredients were incorrectly declared, in that the feed contained rice hulls which were not declared as one of the ingredients.

Adulteration of the article in each shipment was alleged in the information in that a certain substance, to wit, rice hulls, had been mixed and packed with the article so as to lower and reduce and injuriously affect its strength and quality. Further adulteration was alleged in that a substance, to wit, rice hulls, had been substituted in part for dairy feed made from ground grain screenings, broken flax, broken wheat, seeds, rice feed, and oat feed, which the article purported to be.

Misbranding of the article was alleged in that the statement on the tag attached to the sack containing the article, regarding the article, to wit, "Made From Ground Grain Screenings, Broken Flax, Broken Wheat, Seeds, Rice Feed, Oat Feed," was false and misleading and deceived and misled the purchaser into the belief that the article was made from the ingredients above enumerated, whereas, in truth and in fact, it was not such an article, but was a mixture containing rice hulls.

On April 6, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1.

E. D. BALL, *Acting Secretary of Agriculture.*