

On November 15, 1921, the Asheville Medicine Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be delivered to said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10855. Adulteration and misbranding of soluble saccharin. U. S. v. 5 Pounds and 5 Pounds of Soluble Saccharin. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 14977, 15041. I. S. Nos. 1962-t, 3152-t, 4766-t. S. Nos. C-3071, C-3070.)

On June 13 and June 25, 1921, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 pounds and 5 pounds of soluble saccharin, so-called, remaining in the original packages at San Antonio and Waco, Texas, alleging that the article had been shipped on or about July 24 and August 20, 1918, by the Sethness Co., Chicago, Ill., and transported from the State of Illinois into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Cosco Brand Soluble Saccharine Guaranteed under the Food and Drugs Act of June 30, 1906 By Sethness Company Chicago, U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of soluble saccharin, insoluble saccharin, and sodium bicarbonate.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and for the further reason that the strength and purity of said article fell below the professed standard of quality under which it was sold.

Misbranding was alleged for the reason that statements in the labeling of the article, "Guaranteed under the Food and Drugs Act of June 30, 1906 * * * Soluble Saccharine," were false and misleading, and for the further reason that said article was an imitation of and offered for sale under the name of another article.

On December 20 and November 23, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10856. Adulteration and misbranding of canned salmon. U. S. v. 599 Cases and 59 Cases of Canned Salmon. Decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 15859, 15860. I. S. Nos. 1312-t, 1315-t. S. No. C-3381.)

On December 23, 1921, 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 libels for the seizure and condemnation of 599 cases and 59 cases, respectively, of canned salmon, at Little Rock, Ark., alleging that the article had been shipped by the Lowman Co., Anacortes, Wash., on or about October 4, 1921, and transported from the State of Washington into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Sunny South Brand Contents 1 Lb. Fresh Salmon Chum Packed by Coast Fish Company The Lowman Co. Successors, Anacortes, Wash., U. S. A."

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

Misbranding was alleged in substance for the reason that there appeared on the cans containing the article the following statement, "Fresh Salmon," which was false and misleading in that the said article contained decomposed fish in a material proportion of the said cans.

On June 6, 1922, the two cases having been consolidated under one proceeding, a decree of the court was entered ordering that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*