

12878. Adulteration of canned salmon. U. S. v. 516 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond to be reconditioned. (F. & D. No. 19014. I. S. Nos. 20292-v, 20244-v. S. No. W-1587.)

On September 24, 1924, the United States attorney for the Western 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 praying the seizure and condemnation of 516 cases of canned salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by Gorman & Co., from Frier [Drier] Bay, Alaska, September 2, 1924, and transported from the Territory of Alaska into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "4 Dozen One Pound Gorman Brand Alaska Pink Salmon Packed and Distributed by Gorman & Company, Seattle, U. S. A."

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

On November 1, 1924, Gorman & Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the bad portion be separated from the good portion under the supervision of this department, and the bad portion destroyed.

W. M. JARDINE, *Secretary of Agriculture.*

12879. Adulteration of mineral water. U. S. v. 9 Cases of Healing Springs Water. Default decree ordering destruction of product. (F. & D. No. 18398. I. S. No. 16526-v. S. No. E-4750.)

On February 20, 1924, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9 cases of healing springs water, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Virginia Hot Springs Co., from Hot Springs, Va., on or about December 3, 1923, and transported from the State of Virginia into the State of Florida, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Bottle) "The Healing Springs "Water" Healing Springs, Bath County, Virginia. * * * Virginia Hot Springs Company, Hot Springs, Bath Co., Va."

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

On September 17, 1924, no claimant having appeared for the property, judgment of the court was entered, ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

12880. Misbranding of butter. U. S. v. 38 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18933. I. S. No. 12659-v. S. No. E-4930.)

On August 29, 1924, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 38 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., consigned on or about August 16, 1924, alleging that the article had been shipped by the Minnesota Cooperative Creameries Assoc., from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libel for the reason that the statement "Western Maryland Dairy Butter One Pound Net Weight" was false and misleading and deceived and misled the purchaser, and for the further reason, that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 15, 1924, the Western Maryland Dairy Co., Baltimore, Md., having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution