

On April 28, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the United States marshal remove the labels and sell the product by the pound.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13657. Adulteration of canned salmon. U. S. v. 450 Cases of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18067. I. S. No. 7182-v. S. No. C-4198.)**

On November 23, 1923, 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 praying the seizure and condemnation of 450 cases of salmon, remaining in the original unbroken packages at Hattiesburg, Miss., alleging that the article had been shipped by McGovern & McGovern, from Seattle, Wash., on or about September 10, 1923, and transported from the State of Washington into the State of Mississippi, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Higrade Brand Pink Alaska Salmon \* \* \* Packed in Alaska By Sea Coast Packing Co. Seattle, Wash."

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

On November 15, 1924, the Sea Coast Packing 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 \$2,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, and the adulterated portion be destroyed and the remainder released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13658. Adulteration and misbranding of butter. U. S. v. 11 Tubs and 11 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20263. I. S. No. 22418-v. S. No. E-5419.)**

On July 3, 1925, the United States attorney for the Southern District of New York, 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 22 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Erdahl Creamery Co., Erdahl, Minn., on or about June 23, 1925, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On July 25, 1925, Edward Gulsvig, trading as Erdahl Creamery Co., Erdahl, Minn., having appeared as claimant for the property and having admitted the allegations of the libel and 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 \$600, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department so as to contain at least 80 per cent of butterfat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13659. Misbranding of butter. U. S. v. Earle K. Eby, Andrew C. Nichols, and John G. Vess (Western Creamery Co.). Pleas of guilty. Fine, \$25. (F. & D. No. 19290. I. S. No. 18249-v.)**

On June 24, 1925, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Earle K. Eby, Andrew C. Nichols, and John G. Vess, copartners, trading as Western Creamery Co., Kansas City, Mo., alleging shipment by said defendants.

in violation of the food and drugs act as amended, on or about May 21, 1924, from the State of Missouri into the State of Louisiana, of a quantity of butter which was misbranded. The article was labeled in part "Butter Net Weight One Pound."

Examination by the Bureau of Chemistry of this department of 100 cartons of the article showed an average net weight of 15.58 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Weight One Pound," borne on the packages containing the said article, was false and misleading, in that the said statement represented that each of the packages contained 1 pound of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound of butter, whereas each of said packages did not contain 1 pound net of butter but did contain a less amount. Misbranding was alleged 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 June 26, 1925, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13660. Adulteration of canned salmon. U. S. v. Shepard Point Packing Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 19621. I. S. No. 20694-v.)**

On May 8, 1925, 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 an information against the Shepard Point Packing Co., a corporation, Seattle, Wash., alleging shipment by said company, in violation of the food and drugs act, on or about June 30, 1924, from the Territory of Alaska into the State of Washington, of a quantity of canned salmon which was adulterated.

Examination by the Bureau of Chemistry of this department of 192 cans of the article showed that 39 cans, or 20 per cent, contained decomposed salmon.

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

On May 25, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**13661. Misbranding of sweet potatoes. U. S. v. G. Adolph Bahlau, Herman V. Bahlau, Tom F. Gadberry, and J. Frank Campbell (Bahlau Produce Co.). Pleas of guilty. Fine, \$20 and costs. (F. & D. No. 19624. I. S. No. 20813-v.)**

On May 19, 1925, 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 an information against G. Adolph Bahlau, Herman V. Bahlau, Tom F. Gadberry, and J. Frank Campbell, copartners, trading as Bahlau Produce Co., Pine Bluff, Ark., alleging shipment by said defendants, in violation of the food and drugs act as amended, on or about October 11, 1924, from the State of Arkansas into the State of Colorado, of a quantity of sweet potatoes in unlabeled baskets which were misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 16, 1925, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**3662. Adulteration and misbranding of Ajax ground mixed feed barley. U. S. v. 300 Sacks of Ajax Ground Mixed Feed Barley. Consent order of condemnation and forfeiture. Portion of product destroyed and remainder released to be relabeled. (F. & D. No. 17569. I. S. No. 9184-v. S. No. C-3997.)**

On or about June 27, 1923, the United States attorney for the Southern District of Ohio, 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 300 sacks of Ajax ground mixed feed barley, remaining unsold in the original packages at Mt. Vernon, Ohio, consigned March