had been substituted in whole or in part for sardines in tomato sauce, in the case of the Brooklyn and New York lots.

Misbranding, Section 403 (a), the designation "California Sardines In Tomato Sauce" on the label of the Brooklyn and New York lots of the product was false and misleading as applied to an article consisting of herring in a thin watery packing medium, and the name "California Sardines" on the label of the other lots was false and misleading as applied to an article consisting of sea herring.

DISPOSITION: August 27, October 1, and November 15, 1948, and January 5 and April 4, 1949. Default decrees of condemnation and destruction.

14405. Adulteration and misbranding of canned sardines. U. S. v. 33 Cases * * * (and 2 other seizure actions). (F. D. C. Nos. 25447, 25691, 25736. Sample Nos. 15553–K, 23770–K, 23428–K.)

LIBELS FILED: September 8 and October 5 and 22, 1948, Eastern District of Michigan and Southern and Eastern Districts of Texas.

ALLEGED SHIPMENT: On or about June 23, July 24, and August 2, 1948, by the Harris-Cove Packing Co., from Eastport, Maine.

PRODUCT: 687 cases, each containing 48 cans, of sardines at Detroit, Mich., and Houston and Beaumont, Tex.

LABEL, IN PART: "Arctic Brand Sardines In Tomato Sauce Net Wt. 15 Oz. Avoir."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), large sea herring had been substituted in whole or in part for sardines; and, Section 402 (a) (3), a portion of the article consisted in part of a decomposed substance by reason of the presence of decomposed fish.

Misbranding, Section 403 (a), the name "Sardines" and the picture of the pilchard sardine on the label of the article were false and misleading as applied to an article consisting of large sea herring; and, Section 403 (e) (2), one shipment of the article failed to bear a label containing an accurate statement of the quantity of the contents (this shipment was short-weight).

DISPOSITION: February 8 and 15 and March 3, 1949. Default decrees of condemnation. The portion of the product which was not decomposed (33 cases) was ordered delivered to a Federal institution, for the use and consumption of the inmates, and the remainder of the product was ordered destroyed.

14406. Adulteration of canned sardines. U. S. v. 27 Cases * * *. (F. D. C. No. 26629. Sample No. 48155–K.)

LIBEL FILED: March 2, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 21, 1948, by the Wm. H. Morse Co., from New York, N. Y.

PRODUCT: 27 cases, each containing 48 15-ounce cans, of sardines at Allentown, Pa.

LABEL, IN PART: "Ameri-Cana Brand * * * California Sardines in Tomato Sauce Packed * * * By Ameri-Cana Fisheries Wilmington, California."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed fish; and, Section 402 (b) (2), in some of the cans, mackerel had been substituted in whole or in part for sardines.

DISPOSITION: April 6, 1949. Default decree of condemnation and destruction.