

strength as genuine lemon flavor, and in this manner the inferiority of the article, as compared with genuine lemon flavor, was concealed by so coloring it as to give it the color of genuine lemon flavor which was of a higher value than it, and so as to make the article appear of the same color, nature, and strength as genuine lemon flavor, which appearance it would not have had but for said added coloring, thus concealing the inferiority of the article so labeled, as compared with genuine lemon flavor. Misbranding was alleged for the reason that the product was labeled as set forth above and said label was such as to lead the purchaser to believe that when mixed in reasonable and usual quantities with ice cream, jellies, custard, sauces, cakes, pastry, etc., it would impart to them the same flavor as would be imparted to them by the mixture therewith of genuine lemon flavor in the same usual and reasonable quantities, whereas, in truth and in fact, the product was so dilute and the flavor thereof was so weak, that it would not impart, when mixed with ice cream, jellies, custard, sauces, cakes, pastry, etc., in the usual and reasonable quantities as aforesaid, any flavor whatever of lemon or of genuine lemon flavor, and said label bore a statement regarding the article and the ingredients thereof which was false and misleading, and said label was such as to deceive and mislead the purchaser of the article and in this manner the article was misbranded.

On June 20, 1913, the case having come on for trial before the court and a jury, a verdict of guilty was returned by the jury, and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*

**2831. Adulteration and misbranding of canned salmon. U. S. v. 153 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Goods ordered destroyed. (F. & D. No. 3474. S. No. 1287.)**

On or about February 28, 1913, the United States Attorney for the Eastern District of Virginia, 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 153 cases of canned salmon remaining unsold in the original unbroken packages at Norfolk, Va., alleging that the product had been shipped during the fall of 1911 by the Thlinket Packing Co., Portland, Oreg., and transported from Seattle, in the State of Washington, to the Holland-Council Co., Norfolk, Va., and charging adulteration and misbranding in violation of the Food and Drugs Act. Eighty-nine of the cases were labeled: "Coral Reef Brand Alaska Pink Salmon. Directions: To serve hot place can in boiling water for 20 minutes. Empty contents as soon as opened. Canned immediately after being caught." Thirty-four were labeled "Amazon Brand Alaska Medium Red Salmon. Directions: To serve hot place can in boiling water for 20 minutes. Empty contents as soon as opened. Canned immediately after being caught." Thirty cases were labeled: "Gold Bar Brand Alaska Red Salmon. Directions: To serve hot place can in boiling water for 20 minutes. Empty contents as soon as opened. Canned immediately after being caught."

Adulteration as to the 89 and 30 cases of the product was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid animal substance and that the vessels holding the product had been opened since first packed and had been reprocessed, and that the contents did not consist of fresh, sound, and wholesome salmon. It was alleged that the 30 cases and the 34 cases were misbranded in that the labels thereon were false and misleading.

On May 19, 1913, the said Holland-Council Co., claimant, having consented to a decree of condemnation, but praying that the goods be released to them under bond, judgment of condemnation and forfeiture was entered and it was ordered that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 3, 1914.*