On April 14, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11704. Adulteration and misbranding of canned salmon. U. S. v. 100 Cases of Salmon. Default decree of condemnation and forfeiture. Product delivered to State Game Commission for fish food. (F. & D. No. 16923. I. S. No. 7882–v. S. No. W–1236.)

On November 21, 1922, the United States attorney for the District of Oregon, 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 100 cases of salmon, remaining in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped by J. G. Megler, from Brookfield, Wash., November 1, 1922, and transported from the State of Washington into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Woody Island Brand Columbia River Pink Salmon * * * Brookfield Packing Co. Brookfield, Wash. Contents 7¾ Oz."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, and for the further reason that filthy, decomposed, and putrid Coho salmon had been substituted for pink salmon of good commercial quality.

Misbranding was alleged for the reason that the statement appearing in the labeling of the article, "Pink Salmon," was false and misleading and deceived and misled the purchaser.

On March 16, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal. On June 1, 1923, an order of the court was entered that the product be delivered to the State Game Commission of Oregon, under bond in the sum of $250, conditioned that it be used as fish food in the State fish hatcheries.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11705. Adulteration and misbranding of vinegar. U. S. v. 78 Barrels of Vinegar. Decree entered ordering release of the product under bond to be relabeled. (F. & D. No. 16994. I. S. No. 8858–v. S. No. C–2940.)

On November 23, 1922, the United States attorney for the Northern 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 78 barrels of cider vinegar at Youngstown, Ohio, alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about October 4, 1922, and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar Made From Apples Reduced To 4% * * * The Powell Corp. Canandaigua, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled and evaporated apple products vinegar had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On March 26, 1923, the Powell Corp., Canandaigua, N. Y., having appeared as claimant for the property and having admitted the allegations of the libel, a decree of the court was entered ordering that the product be delivered 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 it be relabeled in a manner satisfactory to this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*