per cent protein cottonseed meal, as represented, in that a portion of the article was cottonseed feed which contained not more than 26.34 per cent of crude protein and not less than 20.52 per cent of crude fiber, and the remainder of the said article contained not more than 38.48 per cent of crude protein, and not less than 12.07 per cent of crude fiber.

On October 28, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $75 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18986. Misbranding of clam nectar. U. S. v. Bugge Canning Co. Plea of guilty. Fine, $50 and costs. (F. & D. No. 26595. I. S. Nos. 642, 11675, 11699, 11700.)

Sample cans of clam nectar from the shipment herein described having been found to contain less than the declared volume, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On September 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Bugge Canning Co., Sequim, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, on or about December 18, 1930, from the State of Washington into the State of California, of a quantity of clam nectar that was misbranded. The article was labeled in part: "Tureen Brand Clam Nectar Contents 3 Qts. 4 Fl. Oz. Packed by Bugge Canning Co., Sequim, Washington."

It was alleged in the information that the article was misbranded in that the statement, to wit, "3 Qts. 4 Fl. Oz.," borne on the can label, was false and misleading in that the said statement represented that each of the cans contained 3 quarts and 4 fluid ounces of the article; 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 said cans contained 3 quarts and 4 fluid ounces of the article; whereas each of the cans did not contain the amount declared, 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 November 2, 1931, a plea of guilty to the information having been entered on behalf of the defendant company, the court imposed a fine of $50 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18987. Misbranding of canned salmon. U. S. v. 35 Cases of Canned Salmon. Decree of condemnation entered. Product released under bond. (F. & D. No. 26472. I. S. No. 25491. S. No. 4752.)

Samples of canned salmon, represented to be sockeye salmon, having been found to contain coho salmon, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Missouri.

On June 5, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 35 cases of canned salmon at Springfield, Mo., alleging that the article had been shipped by McGovern & McGovern, Seattle, Wash., on or about September 20, 1929, and had been transported from the State of Washington into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Case) "Red Sockeye Salmon;" (can) "G. D. M. Brand Red Sockeye Salmon Distributed by G. D. Milligan Grocer Co., Springfield, Mo."

It was alleged in the libel that the article was misbranded in that the statement on the cases and cans, "Red Sockeye Salmon," was false and misleading and deceived and misled the purchaser when applied to a product containing coho salmon. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On October 1, 1931, McGovern & McGovern, Seattle, Wash., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered. The claimant having paid the costs and executed a bond in the sum of $500, conditioned that the product should not be sold or otherwise disposed of contrary to the Federal food and drugs act or the laws of any State, Territory, district, or insular possession, the court ordered that the said product be released to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture.*