11645. Adulteration and misbranding of canned shrimp. U. S. v. 8 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16737. I. S. No. 1501-v. S. No. E-4122.)

On August 11, 1922, the United States attorney for the District of Connecticut, 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 8 cases of canned shrimp, remaining unsold in the original unbroken packages at Norwich, Conn., alleging that the article had been shipped by the Acme Packing Co., Apalachicola, Fla., on or about March 25, 1922, and transported from the State of Florida into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Harbor Brand * * * Fancy Shrimp Packed By Acme Packing Co. Apalachicola, Florida. * * * Net Contents 5¾ Oz."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the labels on the cases containing the article bore the following statement, designs, words, and devices, "Fancy Shrimp * * * Net Contents 5¾ Oz.," which were 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, to wit, canned shrimp, and for the further 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 May 29, 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.*

11646. Misbranding of crab meat. U. S. v. Oreste Volpini (O. Volpini & Co.). Plea of guilty. Fine, $15. (F. & D. No. 16944. I. S. Nos. 18258-t, 18260-t, 18262-t.)

On February 28, 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 an information against Oreste Volpini, trading as O. Volpini & Co., Biloxi, Miss., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about June 2, 6, and 7, 1922, respectively, from the State of Mississippi into the State of Texas, of quantities of crab meat which was misbranded. The article was contained in cans, a portion of which were packed in barrels which were labeled in part: "From O. Volpini & Company Box 276, Biloxi, Miss." The cans containing the article were unlabeled.

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 11, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine in the sum of $15.

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

11647. Adulteration and misbranding of canned salmon. U. S. v. 553 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. Product released under bond to game warden for fish food in lieu of destruction. (F. & D. No. 17020. I. S. No. 7889-v. S. No. W-1253.)

On December 14, 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 553 cases of canned salmon, remaining in the original unbroken packages at Astoria, Oreg., alleging that the article had been shipped by J. G. Megler & Co., from Brookfield, Wash., on or about December 4, 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 * * * Packed By Brookfield Packing Co. Brookfield, Wash. * * * Choice Columbia River Pink Salmon."