

thereby conveying the impression that the product contained a substantial amount of egg, whereas, in truth and in fact, it contained a very small amount of egg, the amount not being sufficient to impart an egg character to the product.

On May 24, 1913, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

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

WASHINGTON, D. C., *May 6, 1914.*

**3014. Adulteration and misbranding of "Corn Chop." U. S. v. Twenty-five Sacks Corn Chop. Decree of condemnation. Product ordered sold. (F. & D. No. 4935. S. No. 1637.)**

On December 31, 1912, the United States attorney for the Northern District of Florida, 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 25 sacks, each containing approximately 90 pounds of "corn chop," remaining unsold in the original unbroken packages and in the possession of D. Kugleman & Co., Pensacola, Fla., alleging that the product had been shipped by the Western Grain Co., Kansas City, Mo., and transported from the State of Missouri into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "R. J. House and Co. Ninety Lbs. Pure Corn Chop. Kansas City, Mo." Adulteration of the product was alleged in the libel for the reason that it was labeled as set forth above, denoting the contents of each of the sacks, whereas, in fact, the sacks did not contain pure corn chop, but contained 4.27 per cent of sand, wherefore it was alleged in the libel that the product was adulterated within the meaning of section 7, paragraphs 1 and 2, of the Food and Drugs Act, June 30, 1906, and also misbranded within the meaning of section 8, first general paragraph, of said act.

On May 26, 1913, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

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

WASHINGTON, D. C., *May 6, 1914.*

**3015. Adulteration and misbranding of coffee. U. S. v. R. W. Wilmore (Republic Coffee Company). Plea of guilty. Fine, \$100. (F. & D. No. 4937. I. S. No. 36755-e.)**

At the April, 1913, term of the District Court of the United States for the Western District of Texas, the grand jury of the United States, within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against R. W. Wilmore, doing business in the city of El Paso, Tex., under the name of the Republic Coffee Company, charging shipment by said defendant, in violation of the Food and Drugs Act, on June 15, 1912, from the State of Texas into the State of Arizona, of a quantity of coffee, which was adulterated and misbranded. The product was labeled: (On wrapper) "Rajah Coffee" "Republic Coffee Company, El Paso, Texas"; (On seal) "This seal a guarantee of purity. Republic Coffee Company."

Examination of a sample of the product by the Bureau of Chemistry of this department showed it to be a mixture of ground coffee and chicory, about 95 per cent coffee and about 5 per cent chicory. The coffee used appeared to be a medium grade of Santos. There was no reference to chicory on the label. The examination showed that the coffee used in the product was not grown in the East. Adulteration of the product was charged in the indictment for the reason that said article was a substance that had been substituted in part for coffee in a percentage not exactly known, but it was approximately 5 per cent of chicory. Misbranding was charged for the reason that the brands on the product, to wit, "Rajah Coffee" and "This seal a guarantee of