

6188. Adulteration and misbranding of high protein meat scraps. U. S. * * * v. 120 bags * * * of high protein meat scraps. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8551. I. S. No. 15137-p. S. No. C-749.)

On October 22, 1917, the United States attorney for the District of Indiana, 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 120 bags of a product purporting to be high protein meat scraps consigned August 30, 1917, remaining unsold in the original unbroken packages at West Lafayette, Ind., alleging that the article had been shipped by Darling & Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Darlings' High Protein Meat Scraps for Poultry. * * * Protein Min. 55.0%."

Adulteration of the article was alleged, in substance, in the libel for the reason that ground glass had been mixed and packed therewith, and had been substituted in part for meat scraps and said ground glass, added and substituted as aforesaid, was a deleterious ingredient which rendered the article injurious to health.

Misbranding of the article was alleged in substance for the reason that the statement, borne in the label on the bags, that the article contained 55 per cent protein, was false and misleading; and further in that it was branded so as to deceive and mislead the purchaser thereof for the reason that the article did not contain 55 per cent of protein, but contained a less percentage of protein.

On April 3, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal at public sale, and that before being sold it should be properly relabeled, with injunction against the use of the product as food for human or animal consumption.

CARL VROOMAN,
Acting Secretary of Agriculture.