

Quincy, Ill., alleging that the article had been shipped by the Kahoka Evaporated Milk Co., Kahoka, Mo., and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Kahoka Brand Evaporated Milk. Is prepared from pure milk and evaporated to the consistency of cream milk."

Adulteration of the article was alleged in the libel for the reason that partially evaporated milk had been substituted for evaporated milk.

Misbranding of the article was alleged in substance for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, evaporated milk, and in that the statement, to wit, "Evaporated Milk," was false and misleading and deceived and misled the purchaser, in that examination showed a shortage of solids and of fat and from the declared net weight.

Misbranding of the article was alleged 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 in terms of weight, measure, or numerical count.

On December 11, 1918, J. Trump & Sons Mercantile Co., a corporation, Kahoka, Mo., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to 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 the product should be relabeled so as to show that it was partially evaporated milk, and also designating the true net weight of the same.

J. R. Riggs, Acting Secretary of Agriculture.

6723. Adulteration and misbranding of beet meal. U. S. * * * v. 470 Sacks of Beet Meal. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 9078. I. S. No. 8244-p. S. No. C-907.)

On June 10, 1918, the United States attorney for the Eastern District of Wisconsin, 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 470 sacks of beet meal, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about April 12, 1918, and transported from the State of New Jersey into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Sugar Beet Meal The Garden City Milling Co. Garden City, Kansas."

Adulteration of the article was alleged in the libel for the reason that excessive sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and for the further reason that it consisted in part of a decomposed vegetable substance.

Misbranding of the article was alleged in substance for the reason that the labels on the sacks containing the article bore the statement that the same was "Sugar Beet Meal," which statement was false and misleading in that the product was not sugar beet meal, but was, in truth and in fact, a mixture of sugar beet tops, crowns, and tails, and sand product; and for the further reason that it was labeled as aforesaid in such form and display as to give the impression that the article was pure sugar beet meal, whereas, in truth and in fact, it was not, but was a mixture in which a sand product had been mixed and packed with sugar beet tops, crowns, and tails; and for the further

reason that it was labeled as aforesaid so as to deceive and mislead the purchaser thereof.

On December 2, 1918, Max Hottelet, Milwaukee, Wis., and the Garden City Milling Co., Garden City, Kans., claimants, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal, and that judgment be entered against said Max Hottelet for the costs of the proceedings.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6724. Adulteration of tomato catsup. U. S. * * * v. 1,200 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9079. I. S. No. 8783-p. S. No. C-908.)

On June 11, 1918, the United States attorney for the Middle District of Alabama, 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 1,200 cases of tomato catsup, remaining unsold in the original unbroken packages at Montgomery, Ala., alleging that the article had been shipped on November 10, 1917, and transported from the State of Illinois into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Banner Brand Catsup. Packed by the Van Alen Canning Corp., Ogden, Utah." The shipment was originally made by the Van Alen Canning Corp. from Ogden, Utah, on or about October 19, 1917.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On March 26, 1919, 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 destroyed by the United States marshal.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6725. Adulteration of tomato catsup. U. S. * * * v. 302 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9080. I. S. No. 8788-p. S. No. C-909.)

On June 12, 1918, the United States attorney for the Northern District of Alabama, 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 302 cases, each containing two dozen bottles of tomato catsup, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on March 25, 1918, by the Frazier Packing Co., Elwood, Ind., and transported from the State of Indiana into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Frazier's Tomato Catsup Prepared by the Frazier Packing Co., Elwood, Ind."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On September 2, 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 destroyed by the United States marshal.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6726. Adulteration of tomato pulp. U. S. * * * v. 50 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9082. I. S. No. 3828-p. S. No. E-1053.)

On June 25, 1918, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court