

condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7163. Adulteration of Chili peppers. U. S. * * * v. 73 Sacks of Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9695, 9696. I. S. Nos. 6298-r, 6296-r, 6297-r. S. Nos. C-1063, C-1064.)

On February 13, 1919, the United States attorney for the Western District of Texas, 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 73 sacks of Chili peppers, at Austin, Tex., alleging that the article had been shipped on or about January 6, 1919, by the Simon Levi Co., Los Angeles, Cal., and transported from the State of California into the State of Texas, and charging adulteration in violation of the Food and Drugs Act.

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

On June 20, 1919, the Walker Properties Association, Austin, Tex., claimant, having filed a claim for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the good portion should be released to said claimant, and the unfit portion released should be used in the preparation of animal and chicken feed only.

E. D. BALL, *Acting Secretary of Agriculture.*

7164. Misbranding of dairy feed. U. S. * * * v. International Sugar Feed No. Two Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9798. I. S. No. 15491-p.)

On May 30, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the International Sugar Feed No. Two Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 18, 1918, from the State of Tennessee into the State of Mississippi, of a quantity of an article, labeled in part "International Jewel Dairy Feed," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture -----	10.88
Crude fiber -----	21.04

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Fibre 15%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not more than 15 per cent of fiber, and for the further reason that it

was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than 15 per cent of fiber, whereas, in truth and in fact, it contained more than 15 per cent of fiber, to wit, approximately 21.04 per cent of fiber.

On June 27, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7165. Adulteration of eggs. U. S. * * * v. William J. Benjamin and Fred L. Gillet (Benjamin & Gillet). Nolle prosequi entered as to William J. Benjamin. Plea of guilty by Fred L. Gillet. Fine, \$25 and costs. (F. & D. No. 9807. I. S. No. 5553-r.)

On May 21, 1919, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William J. Benjamin and Fred L. Gillet, a partnership, trading as Benjamin & Gillet, Colome, S. D., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 7, 1918, from the State of South Dakota into the State of Nebraska, of a quantity of shell eggs which were adulterated.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that in 3 cases there were 75 inedible eggs, or 6.9 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On June 26, 1919, a nolle prosequi was entered as to William J. Benjamin, and on the same date Fred L. Gillet entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7166. Adulteration and misbranding of lemon extract. U. S. * * * v. Sara W. Lupton, Marvin C. K. Lupton, and Stonewall J. Yeatman (Razo Mfg. Co.). Collateral of \$50 forfeited. (F. & D. No. 9812. I. S. No. 15628-r.)

On July 14, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Sara W. Lupton, Marvin C. K. Lupton, and Stonewall J. Yeatman, copartners, trading as the Razo Mfg. Co., Washington, D. C., alleging that said defendants did offer for sale and sell, at the District aforesaid, in violation of the Food and Drugs Act, as amended, on October 9, 1918, a quantity of an article, labeled in part "Razo Lemon Extract * * * manufactured only by Razo Mfg. Co., Washington, D. C.," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Alcohol by volume.....	68.4
Lemon oil.....	2.1
Citral.....	0.09

Artificially colored with tartrazine.

Produce is a diluted extract, artificially colored, and deficient in lemon oil.