

United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 8101-8150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 10, 1921.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

8101. Misbranding of Special Horse & Mule Feed, Laymo Poultry Feed, Krak a Jak Poultry Feed, Black Jack Horse & Mule Feed, Gray Mule Horse & Mule Feed, and Success Hen Feed. U. S. * * * v. The Superior Feed Co., a Corporation. Plea of guilty. Fine, \$350 and costs. (F. & D. No. 9666. I. S. Nos. 6822-p, 6823-p, 6824-p, 6825-p, 6826-p, 6827-p, 6828-p, 7133-p, 7134-p, 7728-p, 7798-p.)

On August 18, 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 Superior Feed Co., a corporation, Memphis, Tenn., alleging shipment by said defendant, on or about January 5, January 16, February 9, February 12, February 16, February 27, March 4, March 13, March 15, March 25, and April 19, 1918, from the State of Tennessee into the States of Georgia and Florida, in violation of the Food and Drugs Act, of quantities of articles, labeled in part "Special Horse & Mule Feed," "Laymo Poultry Feed," "Krak a Jak Poultry Feed," "Black Jack Horse & Mule Feed," "Gray Mule Horse & Mule Feed," and "Success Hen Feed," and on each, "Manufactured by The Superior Feed Co., Memphis, Tenn.," which were misbranded.

Examination of representative samples of the articles by the Bureau of Chemistry of this department showed that the quantity of the contents of the sacks averaged 89.12, 89.10, 94.99, 94.55, 95.72, 87.34, 95.04, 94.8, 89.30, 89.72, and 88.32 pounds, respectively. Analysis of samples from the shipment of March 13, 1918, showed that it contained 9 per cent of protein and 2.43 per cent of fat.

Misbranding of the article in each shipment was alleged in the information in that the statements on the tags attached to the sacks containing the article, regarding the article, to wit, "100 pounds net when packed," "100 pounds net," and "100 pounds Feed Stuff," were false and misleading in that it was represented that each sack contained 100 pounds of the article, whereas, in fact, it did not contain 100 pounds but did contain a less amount. Further misbranding was alleged in that the article was labeled so as to deceive and mislead

the purchaser in that it represented that each sack contained 100 pounds of the article, whereas each sack contained a less amount. Further misbranding of the article in the shipment of March 13, 1918, was alleged in that the statement, to wit, "Guaranteed Analysis: Protein 10% Fat 3.25%," borne on the tags attached to the sacks, was false and misleading in that it represented that the article contained not less than 10 per cent of protein and 3.25 per cent of fat, whereas, in truth and in fact, it contained less than 10 per cent of protein and 3.25 per cent of fat, to wit, 9 per cent of fat and 2.43 per cent of fat. Further misbranding was alleged in 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 July 9, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$350 and costs.

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

S102. Adulteration of shell eggs. U. S. * * * v. John G. Worthy et al. (J. G. Worthy & Co.). Pleas of guilty. Fine, \$60 and costs. (F. & D. No. 9805. I. S. No. 6052-r.)

On May 31, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John G. Worthy, Alfred B. Thornton, and Oliver C. Thornton, a partnership, trading as J. G. Worthy & Co., Bokchito, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 6, 1918, from the State of Oklahoma into the State of Missouri, of a quantity of shell eggs which were adulterated.

Examination of samples of the product by the Bureau of Chemistry of this department showed that of the 1½ cases examined 13 per cent of the eggs were inedible.

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 September 22, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$60 and costs.

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

S103. Adulteration and misbranding of vinegar. U. S. * * * v. Charles E. McLean (Wallace-McLean Vinegar Co.). Plea of guilty. Fine, \$175 and costs. (F. & D. No. 9849. I. S. Nos. 11916-p, 11917-p, 11920-p.)

On July 22, 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 Charles E. McLean, trading as the Wallace-McLean Vinegar Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 8, February 13, and February 10, 1918, from the State of Tennessee into the State of Arkansas, of certain quantities of an article, labeled in part "Excello Brand Vinegar," "Excello Brand Pure Apple Cider Vinegar," and "Simon Pure Brand Vinegar," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained less than 4 per cent of acetic acid and consisted in part of distilled vinegar or dilute acetic acid.

Adulteration of the article in each shipment was alleged in the information in that a substance, to wit, either distilled vinegar or dilute acetic acid and other foreign materials, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further