

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

On February 21, 1920, the defendant pleaded guilty to the information, and the court imposed a fine of \$25.

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

8355. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Brownsville Cotton Oil and Ice Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11810. I. S. No. 7081-r.)

On April 19, 1920, 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 Brownsville Cotton Oil and Ice Co., Brownsville, Tenn., alleging shipment by the said company, on or about January 25, 1919, from the State of Tennessee into the State of Iowa, of a quantity of an article, labeled in part "41% Cottonseed Meal," which was adulterated and misbranded in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 38.8 per cent of protein.

Adulteration of the article was alleged in the information in that a substance, to wit, cottonseed meal containing less than 41 per cent of protein, had been substituted in whole or in part for "41 per cent cottonseed meal," which the article purported to be.

Misbranding of the article was alleged in that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On May 28, 1920, the defendant 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.*

8356. Adulteration and misbranding of canned tomatoes. U. S. * * * v. \$50 Cases of Gold Bond Brand Hand Packed Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11813. I. S. No. 26-r. S. No. E-1877.)

On December 13, 1919, the United States attorney for the District of New Jersey, 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 a certain quantity of a certain article, labeled in part "Gold Bond Brand Hand Packed Tomatoes Packed by Monumental Canning Co. * * * Baltimore, Md.," at Jersey City, N. J., alleging that the article had been shipped on or about October 8, 1919, by the Monumental Canning Co., Baltimore, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel in that water had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength. Further adulteration was alleged in that water had been substituted in whole or in part for the article.

Misbranding of the article was alleged in that the statement on the label attached to the cans containing the article, to wit, "Gold Bond Brand Hand Packed Tomatoes," was false and misleading and deceived and misled the purchaser into the belief that the article was canned tomatoes, whereas it was a product containing added water. Further misbranding was alleged in that the article was sold under the distinctive name of another article.