

On December 24, 1919, I. C. Lyman, trading as the Franke Grain Co., claimant, Milwaukee, Wis., having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$6,000, in conformity with section 10 of the act.

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

8430. Adulteration of shell eggs. U. S. * * * v. James Virgil Boring and Thomas Chester Boring (J. V. Boring & Bro.). Plea of guilty. Fine, \$25. (F. & D. No. 8940. I. S. No. 9507-p.)

On April 7, 1919, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James Virgil Boring and Thomas Chester Boring, copartners, trading as J. V. Boring & Bro., Houston, Miss., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 24, 1917, from the State of Mississippi into the State of Tennessee, of a quantity of shell eggs which were adulterated.

Examination of 20 cases (180 eggs from each case), taken from the shipment, by the Bureau of Chemistry of this department showed that 578 eggs, or 16.05 per cent, were inedible.

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

On April 6, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

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

8431. Adulteration and misbranding of rice bran. U. S. * * * v. Charles J. Freeland and Thomas B. Freeland (American Rice Milling Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9650. I. S. Nos. 15803-p, 15805-p.)

On April 29, 1919, the United States attorney for the Western District of Louisiana, 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 J. Freeland and Thomas B. Freeland, copartners, trading as the American Rice Milling Co., Crowley, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 14 and February 27, 1918, from the State of Louisiana into the State of Texas, of quantities of an article, labeled in part "Rice Bran * * * Manufactured by American Rice Milling Co., Crowley, La.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	FIRST SHIPMENT. <i>Per cent.</i>	SECOND SHIPMENT. <i>Per cent.</i>
Moisture -----	8.48	7.83
Ether extract -----	12.03	13.04
Crude fiber -----	16.70	17.52
Crude protein -----	10.66	10.88
Ash -----	12.33	12.15
Acid-insoluble ash -----	7.40	7.32

Results indicate presence of added rice hulls.

Adulteration of the article in both shipments was alleged in the information for the reason that rice hulls had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for rice bran, which the article purported to be.

Misbranding of the article in both shipments was alleged for the reason that the statements, to wit, "Rice Bran * * * Guaranteed Analysis * * * Protein not less than 12.00 per cent * * * Crude Fiber not more than 15.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article consisted wholly of rice bran, and that it contained not less than 12 per cent of protein and not more than 15 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article consisted wholly of rice bran, and contained not less than 12 per cent of protein and not more than 15 per cent of crude fiber, whereas, in truth and in fact, said article did not consist wholly of rice bran, but consisted, in part of rice hulls, and did contain less than 12 per cent of protein and more than 15 per cent of crude fiber, to wit, 10.66 per cent of protein and 16.70 per cent of crude fiber, and 10.88 per cent of protein and 17.52 per cent of crude fiber, respectively.

On December 16, 1919, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$50 and costs.

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

S432. Adulteration and misbranding of vinegar. U. S. * * * v. R. M. Hughes & Co., a Corporation. Plea of guilty. Fine, \$25. (D. & D. No. 9853. I. S. No. 8780-p.)

On May 12, 1919, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. M. Hughes & Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 24, 1917, from the State of Kentucky into the State of Louisiana of a quantity of an article, labeled in part "White Distilled Vinegar 100 Grain," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was low in acid strength.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a vinegar of less than 100 grain strength, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for vinegar 100 grain, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "White Distilled Vinegar 100 Grain," borne on the barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article was vinegar 100 grain, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was vinegar 100 grain, whereas, in truth and in fact, said article was not vinegar 100 grain, but was a vinegar of less than 100 grain.

On October 14, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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