

8615. Adulteration of tomato catsup. U. S. * * * v. 200 Cases of * * * Tomato Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9609. I. S. No. 6223-r. S. No. C-1032.)

On January 21, 1919, the United States attorney for the Middle District of Tennessee, 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 200 cases of tomato catsup, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by W. H. Dyer, Evansville, Ind., on or about November 8, 1918, and transported from the State of Indiana into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "W. H. Dyer's Own Pack * * * Tomato Catsup."

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

On May 5, 1920, W. H. Dyer, Evansville, Ind., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

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

8616. Adulteration and misbranding of Velvo Molasses Feed, Supreme Horse Feed, Derby Horse and Mule Feed, Staf-O-Life Horse and Mule Feed, and Virginia Horse and Mule Feed. U. S. * * * v. Edmond F. Schellhaas, John E. Koerner, and George L. Wagner (John E. Koerner & Co.). Pleas of guilty. Fine, \$35. (F. & D. No. 9781. I. S. Nos. 15021-p, 15477-p, 15483-p, 15484-p, 15485-p, 15486-p, 15487-p.)

On October 18, 1919, the United States attorney for the Eastern 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 Edmond F. Schellhaas, John E. Koerner, and George L. Wagner, a partnership, trading as John E. Koerner & Co., New Orleans, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 25, 1918, from the State of Louisiana into the State of Alabama, of a quantity of Velvo Molasses Feed, which was adulterated, and on or about March 22, 1918, of a quantity of Supreme Horse Feed, on or about March 22 and March 19, 1918, of quantities of Derby Horse and Mule Feed, on or about March 20, 1918, of a quantity of Staf-O-Life Horse and Mule Feed, on or about March 19, 1918, of a quantity of Velvo Molasses Feed, and on or about March 25, 1918, of a quantity of Virginia Horse and Mule Feed, from the State of Louisiana into the State of Mississippi, which were adulterated and misbranded.

Examinations and analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained considerable amounts of rice hulls and more fiber and less protein in certain shipments than indicated on the labeling thereon.

Adulteration of the article in each shipment 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 the article.

Misbranding of the Supreme Horse Feed was alleged in substance for the reason that the statement, to wit, "Crude Fibre 12%," 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