

and condemnation of 350 sacks of wheat bran (brown) shorts and wheat screenings, at Clarksville, Ark., alleging that the article had been shipped by the Hoffman Mills Co., Enterprise, Kans., August 14, 1919, and transported from the State of Kansas into the State of Arkansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part "100 Lbs. Net Wheat Brown Shorts & Wheat Screenings \* \* \* Manufactured by The Hoffman Mills of The Kansas Flour Mills Company, Enterprise, Kansas."

Adulteration of the article was alleged in substance in the libel for the reason that ground bran had been mixed and packed therewith so as to secure [reduce], lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for the article, and for the further reason that ground bran had been mixed therewith in a manner whereby inferiority was produced [concealed].

Misbranding was alleged in substance for the reason that the article was offered for sale under the distinctive name of another article. It was further alleged in substance that the article was labeled as aforesaid so as to deceive and mislead the purchaser and to represent falsely to the purchaser that the article was in whole or in part composed of and contained the ingredients or food properties and values as set out in the labeling, when, in truth and in fact, it was not.

On May 7, 1920, the Laser Grain Co., Clarksville, Ark., claimant, having consented to a decree, judgment of condemnation and forfeiture was 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 a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the goods be relabeled by adding to the label on each sack the words "Re-ground Wheat Bran and Wheat Screenings."

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

**8634. Adulteration and misbranding of horse and mule feed. U. S. \* \* \***  
**v. 300 Sacks of Look Out Horse and Mule Feed. Consent decree of**  
**condemnation and forfeiture. Product released on bond. (F. & D.**  
**No. 11867. I. S. No. 576-r. S. No. E-1916.)**

On or about January 5, 1920, the United States attorney for the Southern District of Florida, 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 300 sacks of Look Out Horse and Mule Feed, at Jacksonville, Fla., consigned by the Monarch Mills, Memphis, Tenn., alleging that the article had been shipped on or about November 20, 1919, and transported from the State of Tennessee into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Look Out Horse and Mule Feed Manufactured by Monarch Mills, Chattanooga, Tenn."

Adulteration of the article was alleged in the libel for the reason that substances deficient in protein and fat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the statements appearing in the labeling, to wit, "Prot. 9 \* \* \* Fat 2," were false and misleading and deceived and misled the purchasers, since the article contained less protein and fat, and for the further reason that the article was an imitation of another article.

On May 26, 1920, the Monarch Mills (Inc.), Memphis, Tenn., claimant, having admitted the allegations of the libel, but having disclaimed responsibility for the misbranding, judgment of condemnation was entered, and it was ordered by the court that the product be released to said claimant upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that if the article were sold or disposed of under any form of branding, said branding should accurately and correctly describe said product.

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

**8635. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 280 Cases of Blue Dot Brand Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11881. I. S. No. 9477-r. S. No. C-1681.)**

On January 13, 1920, 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 a libel for the seizure and condemnation of 280 cases, each containing 48 cans, of tomatoes, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by Winfield Webster & Co., Vienna, Md., on or about September 16, 1919, and transported from the State of Maryland into the State of Louisiana, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Blue Dot Brand Tomatoes Packed by Winfield Webster & Co., Main Office: Vienna, Md. Factories: Vienna, Md. Rhodesdale, Md."

Adulteration of the article was alleged in the libel for the reason that tomato pulp diluted with from 5 to 10 per cent added water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted wholly or in part for the article.

It was alleged in substance in the libel that the article was labeled as aforesaid in violation of section 8 of the Food and Drugs Act, general paragraph, and paragraphs 1 and 2 under "Food," in that the foregoing labeling was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On June 3, 1920, Winfield Webster & Co., Vienna, Md., claimant, having entered an appearance and filed its answer to the libel, and the pleadings having been considered by the court, judgment of condemnation and forfeiture was 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 a bond in the sum of \$870.80, in conformity with section 10 of the act.

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

**8636. Misbranding of cottonseed meal. U. S. \* \* \* v. Roberts Cotton Oil Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 12005. I. S. No. 6692-r.)**

On April 21, 1920, the United States attorney for the Eastern District of Arkansas, 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 Roberts Cotton Oil Co., Jonesboro, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 18, 1919, from the State of Arkansas into the State of Missouri, of a quantity of an article, invoiced as cottonseed meal, which was misbranded.

Examination of the shipment by the Bureau of Chemistry of this department showed that the sacks were unlabeled.