

injuriously affect their quality and strength and had been substituted wholly or in part for olive oil, which the articles by their labelings and designs purported to be; and for the further reason that the said substances had been mixed with the said articles in a manner whereby their damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the respective labels and designs as above represented, borne on the cans containing the articles, regarding the said articles and the substances contained therein, constituted designs and devices which were false and misleading in that they represented that the articles were pure olive oil made in a foreign country, and that the cans containing the "Fabbrini Brand" contained one-quarter gallon thereof, whereas, in truth and in fact, the said articles were not foreign products and were not pure olive oil but were products composed wholly or in part of cottonseed oil, and the cans containing the said "Fabbrini Brand" contained less than one-quarter gallon thereof. Misbranding was alleged for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were pure olive oil and foreign products, whereas, in truth and in fact, they were not pure olive oil and were not foreign products but were products composed of cottonseed oil and peanut oil, or cottonseed oil, as the case might be. Misbranding was alleged in substance for the further reason that the articles were imitations of, and were offered for sale under the distinctive name of, another article; and for the further reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On February 9, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10536. Misbranding of peanut feed. U. S. * * * v. Steele By-Products Co., Inc., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14909. I. S. No. 9084-t.)

On June 21, 1921, the United States attorney for the Northern District of Alabama, 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 Steele By-Products Co., Inc., a corporation, Birmingham, Ala., alleging shipment by said company, on or about July 27, 1920, in violation of the Food and Drugs Act, from the State of Alabama into the State of Georgia, of a quantity of peanut feed which was misbranded. The article was labeled in part: "Little Coon Peanut Feed * * * Distributed By Steele By-Products Co., Inc., Birmingham, Ala. * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 26.3 per cent of protein, 4.00 per cent of crude fat, and 33.4 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that it was labeled on the tag attached to the sack containing the said article, "Guaranteed Analysis Protein, not less than 30.00%, Fat, not less than 6.00% * * * Fibre, not more than 25.00%," which statement regarding the article and the percentage of protein, fat, and fiber, respectively, contained therein, was false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that it contained not less than 30 per cent of protein, not less than 6 per cent of fat, and not more than 25 per cent of fiber, whereas, in truth and in fact, the said article contained less than 30 per cent of protein, less than 6 per cent of fat, and more than 25 per cent of fiber.

On November 10, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10537. Misbranding of Gold Medal Brand sexual pills. U. S. * * * v. 10 Packages of Gold Medal Brand Sexual Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15512. Inv. No. 33821. S. No. C-3291.)

On November 4, 1921, the United States attorney for the Middle District of Alabama, 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 10 packages of Gold Medal Brand sexual pills, remaining in