

dairy feed which was adulterated and misbranded. The article was labeled in part: "100 Pounds (Net) Special Steam Cooked 'Momylk' Dairy Feed * * * Manufactured By Nutriline Milling Company Crowley, La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.09 per cent of protein. Examination by said bureau showed that the article contained alfalfa, rice bran, a little cottonseed meal, and some coarsely-ground peanut shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, peanut shells, 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 said article.

Misbranding was alleged in substance for the reason that the statements, to wit, "* * * Composed of Rice Bran, Ordinary Cottonseed Meal, Alfalfa Meal 30%, Molasses, and Salt $\frac{1}{2}$ % * * * Guaranteed Analysis: Crude Protein not less than 12.00 Per Cent * * *," borne on the sacks containing the article, regarding the said article and the substances and ingredients contained therein, were false and misleading in that it was not composed wholly of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, but contained added peanut shells, and it did not contain 12 per cent of protein, but contained a less amount, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, and that it contained 12 per cent of protein, whereas, in truth and in fact, it contained less than 12 per cent of protein and contained added peanut shells.

On February 3, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11054. Misbranding of pears. U. S. v. 576 Boxes of Pears. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15348. I. S. No. 5988-t. S. No. E-3563.)

On August 25, 1921, the United States attorney for the Western District of New York, 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 576 boxes of pears, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Cohen, Mann & Kahn, Palmdale, Calif., August 11, 1921, and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Liberty Brand * * * Bartlett Pears * * * Grown at Little Rock California Cohen, Mann & Kahn * * * Chicago * * *." A portion of the said boxes bore the statement, "Net Contents not less than 45 Lbs."

Examination of the article by the Bureau of Chemistry of this department showed that a portion of the said boxes bore no statement as to the net contents and that the remainder contained less than the amount declared on the labeling.

Misbranding of the article was alleged in the libel for the reason that the following statement appearing on the boxes containing the said article, to wit, "Net Contents not less than 45 Lbs.," was false and misleading, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 30, 1921, Cohen, Mann & Kahn, Chicago, Ill., claimants, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11055. Adulteration of oranges. U. S. v. 396 Boxes and 341 Boxes of Oranges. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15826, 16094. I. S. Nos. 1804-t, 1807-t, 1808-t. S. Nos. C-3468, C-3506.)

On March 14 and April 1, 1922, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels

for the seizure and condemnation of 737 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the American Fruit Growers, Inc., from Riverside, Calif., in part on or about February 28 and in part on or about March 22, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously in part: "Washington Navel Mustang Oranges American Fruit Growers, Inc., T. H. Peppers Co. Division California;" "Homosasis Aurora American Fruit Growers Asso., Los Angeles, Calif. A. F. G.;" "Orange Queen American Fruit Growers Asso. Los Angeles, Calif."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 22 and April 12, 1922, respectively, the American Fruit Growers, Inc., claimant, having admitted the allegations of the libels and consented to the entry of decrees of condemnation and forfeiture, judgments of the court were entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$4,000, in conformity with section 10 of the act, conditioned in part that the said product be salvaged under the supervision of this department, the bad portion destroyed and the good portion delivered to the said claimant without condition.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11056. Adulteration of oranges. U. S. v. 462 Boxes of Oranges. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16050. I. S. No. 1797-t. S. No. C-3423.)

On February 2, 1922, the United States attorney for the Western District of Missouri, 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 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the San Antonio Orchard Co., Ontario, Calif., on or about January 24, 1922, and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "San Antonio Brand Packed by San Antonio Orchard Company, Ontario, Calif. Wash Navels."

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

On February 14, 1922, the J. L. Taylor Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree for the condemnation and forfeiture of the property, judgment of the court was entered ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned in part that it be salvaged under the supervision of this department, the bad portion destroyed and the good portion delivered to the claimant without condition.

C. F. MARVIN, *Acting Secretary of Agriculture.*

11057. Adulteration of raisins. U. S. v. 690 Bags of Raisins. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 16053. S. No. E-3785.)

On February 18, 1922, the United States attorney for the Southern District of New York, 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 690 56-pound bags of raisins, remaining unsold in the original unbroken bags at New York, N. Y., alleging that the article had been shipped from Denia, Spain, and transported from a foreign country into the State of New York, entering December 31, 1920, and charging adulteration in violation of the Food and Drugs Act.

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

On September 11, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*