

Adulteration of the article was alleged in the libel for the reason that excessive moisture had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a product deficient in butterfat had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent, butterfat, had been wholly or in part abstracted from the said article.

On July 17, 1923, the Makins Produce Co. having appeared as claimant for the property and 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 claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, conditioned in part that it be made to conform with the law under the supervision of this department.

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

11955. Adulteration and misbranding of cottonseed meal. U. S. v. 100 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16990. I. S. No. 3189-v. S. No. E-4228.)

On or about November 22, 1922, 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 praying the seizure and condemnation of 100 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Jacksonville, Fla., consigned by the Buckeye Cotton Oil Co., from Macon, Ga., alleging that the article had been shipped from Macon, Ga., on or about October 25, 1922, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "100 Lbs. Net * * * Cottonseed Meal Guarantee Protein 36.00%."

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

Misbranding of the article was alleged for the reason that it was labeled, "Cottonseed Meal Guaranteed Protein 36.00%," which statement was false and misleading and deceived and misled the purchaser, since the said article was deficient in protein.

On January 30, 1923, the Buckeye Cotton Oil Co., Macon Ga., claimant, having admitted the allegations of the libel as to the mislabeling of the product but claiming that the mislabeling was unintentional, a decree of the court was entered ordering the condemnation of the said product, and it was further ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

11956. Misbranding of olive oil. U. S. v. Nicholas V. Deligiannis and Antonios V. Deligiannis (Deligiannis Bros.). Pleas of guilty. Fine, \$200. (F. & D. No. 16232. I. S. Nos. 239-t, 240-t, 3518-t, 3519-t, 3520-t, 3521-t, 3522-t.)

On July 9, 1923, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nicholas V. Deligiannis and Antonios V. Deligiannis, copartners, trading as Deligiannis Bros., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, in various consignments, namely, on or about April 2, August 26, and September 13, 1921, from the State of Illinois into the State of Minnesota, and on or about August 3 and 26, 1921, from the State of Illinois into the State of Indiana, of quantities of olive oil which was misbranded. The article was labeled in part: (Cans) "Net Contents One Pint" (or "One Quart" or "Two Quarts") " * * * Pure Olive Oil * * * Universal Brand * * * Imported And Packed By Deligiannis Brothers Chicago, Ill."

Examination by the Bureau of Chemistry of this department of samples taken from the various consignments showed that the said cans contained less than the quantities declared on the respective labels.