

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements regarding the curative and therapeutic effect of the said article were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On January 30, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were 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.*

12114. Adulteration of canned salmon. U. S. v. 615 Cases of Salmon. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17766. I. S. No. 8390-v. S. No. W-1415.)

On or about September 21, 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 a libel praying the seizure and condemnation of 615 cases of salmon, at Chicago, Ill., alleging that the article had been shipped by J. G. Megler & Co., from Portland Oreg., July 24, 1923, and transported from the State of Oregon into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Mascot Brand * * * Salmon Packed At Brookfield * * * Wash. * * * J. G. Megler & Co."

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 animal substance.

On December 14, 1923, Nellie E. Megler, trading as J. G. Megler & Co., Brookfield, Wash., claimant, having admitted the allegations of the libel 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be separated or reprocessed under the supervision of this department, the bad portion destroyed and the good portion released.

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

12115. Misbranding of cottonseed meal. U. S. v. Accidental Oil Mills, a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 14743. I. S. No. 24646-r.)

On July 6, 1921, the United States attorney for the Western District of Texas, 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 Accidental Oil Mills, a corporation, Granger, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 21, 1920, from the State of Texas into the State of Indiana, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "Ordinary Cottonseed Meal Manufactured By Accidental Oil Mills Granger, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per Cent."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 39.38 per cent of crude protein and 15.36 per cent of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per Cent," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading, in that they represented that the article contained not less than 43 per cent of crude protein and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it did contain less than 43 per cent of crude protein and did contain more than 12 per cent of crude fiber.

On April 16, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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