

chaser when applied to imitation vanilla extract. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On April 1, 1924, the Heinrich Chemical Co., Minneapolis, Minn., having appeared as claimant for the property and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the article be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$2,650, in conformity with section 10 of the act, conditioned in part that it be made to conform with the provisions of the act under the supervision of this department.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12265. Adulteration of frozen whole eggs. U. S. v. 445 Tins of Frozen Whole Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18299. I. S. No. 13127-v. S. No. E-4730.)

On February 13, 1924, 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 praying the seizure and condemnation of 445 tins of frozen whole eggs, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Washington Cooperative Egg & Poultry Assoc., Seattle, Wash., November 7, 1923, and transported from the State of Washington into the State of New York, 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 in part of a filthy, decomposed, and putrid animal substance.

On April 9, 1924, the Pacific Egg Producers Cooperative (Inc.), 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 \$4,000, in conformity with section 10 of the act, conditioned in part that the product be sorted under the supervision of this department, the bad portion destroyed or denatured, and the good portion released.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12266. Misbranding of chop feed. U. S. v. David Stott Flour Mills, a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 14897. I. S. No. 18532-r.)

On September 14, 1921, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district an information against David Stott Flour Mills, a corporation, Detroit, Mich., alleging shipment by said company, in violation of the food and drugs act, on or about January 17, 1920, from the State of Michigan into the State of New Hampshire, of a quantity of chop feed which was misbranded. The article was labeled in part: (Tag) "Stott's Winner Chop * * * Average Analysis Protein (N x 6.25) 10.00% Crude Fat 5.00% * * * From David Stott Flour Mills Detroit, Mich."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 8.87 per cent of protein and 2.85 per cent of fat.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Average Analysis Protein (N x 6.25) 10.00%" and "Crude Fat 5.00%," 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 10 per cent of protein and not less than 5 per cent of crude fat, 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 10 per cent of protein and not less than 5 per cent of crude fat, whereas, in truth and in fact, it contained less than 10 per cent of protein and less than 5 per cent of crude fat, to wit, 8.87 per cent of protein and 2.85 per cent of crude fat.

On March 23, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*