

the said article contained approximately 38.48 per cent of protein and approximately 13.90 per cent of crude fiber.

On May 12, 1924, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

HOWARD M. GORE, *Secretary of Agriculture.*

12512. Misbranding of oats. U. S. v. 520 Sacks of Oats. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18701. I. S. No. 12317-v. S. No. C-4376.)

On or about April 2, 1924, the United States attorney for the District of Kansas, acting upon a report by an official of the State of Kansas, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 520 sacks of oats remaining in the original unbroken packages at Pittsburg, Kans., alleging that the article had been shipped by the General Commission Co., Kansas City, Mo., on or about March 13, 1924, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in substance in the libel for the reason that it was [food] in package form and bore no label, mark, or brand of any character showing the net weight thereof. Misbranding was alleged for the further reason that the article was in package form and purported to be 96 pounds per sack, net weight, as was shown by the invoice and freight bill, whereas in truth and in fact, the sacks contained a materially less amount than 96 pounds net weight.

On June 26, 1924, 8 sacks of the product having been seized and no claimant having appeared therefor, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12513. Adulteration of walnuts. U. S. v. 100 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18148. I. S. No. 12605-v. S. No. E-4635.)

On December 10, 1923, the United States attorney for the District of Maryland, 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 bags of walnuts remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by William A. Camp & Co. from New York, N. Y., on or about November 5, 1923, and transported from the State of New York into the State of Maryland, 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 and decomposed vegetable substance.

On April 15, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12514. Adulteration and misbranding of oats. U. S. v. 250 Sacks of Oats. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18794. I. S. No. 19525. S. No. C-4420)

On or about June 19, 1924, the United States attorney for the Eastern District of Arkansas, 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 250 sacks of oats at Walnut Ridge, Ark., alleging that the article had been shipped by Thistlewood & Co. from Cairo, Ill., on or about June 12, 1924, and transported from the State of Illinois into the State of Arkansas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Crescent Brand Sample Oats Sulphur Bleached 150 $\frac{1}{4}$ Lbs. Net When Packed."

Adulteration of the article was alleged in the libel for the reason that a mixture containing barley, unthreshed wheat, wild oats, weed seeds, and stems had been mixed and packed with and substituted wholly or in part for the said article, in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the designation, "Sample Oats," was false and misleading and deceived and misled the purchaser, and for the