

**12649. Adulteration and misbranding of cottonseed meal. U. S. v. 300 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 18230. I. S. No. 2935-v. S. No. E-4707.)**

On January 8, 1924, the United States attorney for the District of New Jersey, 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 300 sacks of cottonseed meal, at Lawrenceville, N. J., alleging that the article had been shipped by the Robeson Mfg. Co., Lumberton, N. C., on or about November 19, 1923, and transported from the State of North Carolina into the State of New Jersey, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "100 lbs., Net Paramount Brand Good Cotton Seed Meal \* \* \* Guaranteed Analysis Protein (Minimum) 36.00% Ammonia (Minimum) 7.00% \* \* \* Ingredients: Made from upland cotton seed."

Adulteration of the article was alleged in the libel for the reason that a product low in protein and ammonia had been substituted wholly or in part for good cottonseed meal containing a minimum protein of 36 per cent and a minimum ammonia of 7 per cent, which the article purported to be.

Misbranding was alleged for the reason that the statements, "Good Cotton Seed Meal Guaranteed Analysis Protein (Minimum) 36.00% Ammonia (Minimum) 7.00%," appearing in the labeling, were false and misleading and deceived and misled the purchaser in that it was not good cottonseed meal, with a minimum of 36 per cent of protein and a minimum of 7 per cent of ammonia, but was a cottonseed feed containing less than 36 per cent of protein and less than 7 per cent of ammonia.

On April 2, 1924, the Ashcraft-Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property and 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 claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it be properly rebranded.

HOWARD M. GORE, *Secretary of Agriculture.*

**12650. Adulteration and misbranding of butter. U. S. v. 76 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 18897. I. S. No. 13261-v. S. No. E-4951.)**

On July 25, 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 76 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Glen Ullin Creamery Co., Glen Ullin, N. D., July 1, 1924, and transported from the State of North Dakota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

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

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, butter.

On August 21, 1924, Trelease & Underhill, New York, N. Y., 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 \$1,500, in conformity with section 10 of the act, conditioned in part that it be reworked under the supervision of this department.

HOWARD M. GORE, *Secretary of Agriculture.*