

Misbranding of the article was alleged in the information for the reason that the statement "Guaranteed Analysis Protein 18%," borne on the sacks containing a portion of the article, and the statement "Guaranteed Analysis Crude Protein 18%," borne on the tags attached to the sacks containing the remainder of the article, were false and misleading, in that the said statements represented that the article contained 18 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 18 per cent of protein, whereas it did contain less than 18 per cent of protein.

On October 6, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13053. Misbranding of peanut meal. U. S. v. 90 Sacks of Peanut Meal. Decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 19451. I. S. No. 21288-v. S. No. E-5081.)

On or about December 29, 1924, 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 90 sacks of peanut meal, remaining in the original unbroken packages at Baltimore, Md., consigned about October 6, 1924, alleging that the article had been shipped by the Suffolk Oil Mill, from Suffolk, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Pounds Peanut Meal Manufactured By Suffolk Oil Mill Suffolk, Va., Guaranteed Analysis Protein 41 per cent * * * Made From Shelled Peanuts."

Misbranding of the article was alleged in the libel for the reason that the label bore the statement "Guaranteed Analysis Protein 41 per cent," which was false and misleading and deceived and misled the purchaser.

On February 9, 1925, the Suffolk Oil Mill, Suffolk, Va., having appeared as claimant for the property, judgment of condemnation 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 \$200, in conformity with section 10 of the act, conditioned in part that it not be sold or disposed of until correctly labeled.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13054. Adulteration and misbranding of canned peas. U. S. v. 65 Cartons of Peas. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19525. I. S. No. 17122-v. S. No. E-5109.)

On January 22, 1925, the United States attorney for the Eastern District of Pennsylvania, 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 65 cartons of peas, remaining in the original unbroken packages at Allentown, Pa., consigned by the G. L. Webster Canning Co., Cheriton, Va., alleging that the article had been shipped from Cheriton, Va., on or about July 16, 1924, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Bay Side Brand Sifted Early June Peas * * * Packed By G. L. Webster Canning Co. Cheriton, Va."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive brine, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Peas" was false and misleading and deceived and misled the purchaser.

On February 9, 1925, the G. L. Webster Canning Co., Cheriton, Va., having appeared as claimant for the property, 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 \$150, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*