

the District Court of the United States for said district an information against the Conway Oil & Ice Co., a corporation, Conway, Ark., alleging shipment by said company, in violation of the food and drugs act, on or about August 11, 1923, from the State of Arkansas into the State of Indiana, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 36.48 per cent of protein, 5.84 per cent of nitrogen, and 7.09 per cent of ammonia.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Owl Brand 41% \* \* \* Choice Prime Cotton Seed Meal \* \* \* Ammonia 8.00%, Protein 41.00% \* \* \* Nitrogen 6.58% \* \* \*," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article contained 8 per cent of ammonia, 41 per cent of protein, and 6.58 per cent of nitrogen, 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 8 per cent of ammonia, 41 per cent of protein, and 6.58 per cent of nitrogen, whereas it did not contain 8 per cent of ammonia, 41 per cent of protein, and 6.58 per cent of nitrogen but did contain less amounts.

On January 24, 1925, 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.*

**13105. Misbranding of butter. U. S. v. 40 Cases of Butter. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 19827. I. S. Nos. 22973-v, 22974-v. S. No. C-4653.)

On or about February 9, 1925, the United States attorney for the Northern District of Alabama, 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 40 cases of butter, at Birmingham, Ala., alleging that the article had been shipped by the Nashville Pure Milk Co., from Nashville, Tenn., in part on or about February 3, 1925, and in part on or about February 5, 1925, and transported from the State of Tennessee into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "One Pound Net Weight."

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net Weight," appearing on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On February 20, 1925, the Nashville Pure Milk Co. 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 \$500, in conformity with section 10 of the act, conditioned in part that it be properly labeled.

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

**13106. Adulteration of canned sardines. U. S. v. 680 Cases of Sardines. Portion of product released by agreement. Consent decree of condemnation, forfeiture, and destruction with respect to remainder.** (F. & D. Nos. 17996 to 18007, incl. I. S. Nos. 2271-v, 2272-v. S. No. E-4559.)

On November 9, 1923, the United States attorney for the Western 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 680 cases, each containing 100 cans, of sardines, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the Globe Canning Co., from Eastport, Me., on or about October 2, 1923, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Irma Brand American Sardines In Oil (Cotton Seed) Packed By Globe Canning Co. North Lubec, Wash. Co. Maine."

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 February 25, 1924, the Globe Canning Co. having appeared as claimant for the property, and 378 cases and 68 tins of the product having been found to comply with the law, an order of the court was entered, directing the release of the said portion of the product to the claimant. On March 19, 1924, the claimant having consented to the entry of a decree of condemnation with respect to the remainder of the product, it was ordered by the court that the said portion of the product be destroyed in accordance with law.

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

**13107. Adulteration and misbranding of prepared mustard. U. S. v. 12 Barrels of Prepared Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19526. I. S. No. 17117-v. S. No. E-4902.)**

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 12 barrels of prepared mustard, remaining in the original unbroken packages at Philadelphia, Pa., consigned by A. Luedemann (Inc.), New York, N. Y., alleging that the article had been shipped from New York, N. Y., on or about December 19, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Prep. Mustard Colored With Turmeric."

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

Misbranding of the article was alleged for the reason that the statement "Prep. Mustard," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On February 25, 1925, 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.

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

**13108. Adulteration of canned frozen eggs. U. S. v. 986 Cans of Frozen Eggs. Bad portion separated from good portion. Decree entered, ordering bad portion condemned, forfeited, and denatured, and good portion released. (F. & D. No. 19050. I. S. No. 16162-v. S. No. E-4981.)**

On October 14, 1924, 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 986 cans of frozen eggs, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Theodore Aaron (Inc.), alleging that the article had been shipped from Chicago, Ill., on or about October 4, 1924, and transported from the State of Illinois into the State of Pennsylvania, 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 whole or in part of a filthy, decomposed, and putrid animal substance.

On November 10, 1924, Theodore Aaron (Inc.), Chicago, Ill., having appeared as claimant for the property, and the product having been sorted under the supervision of this department, judgment of the court was entered, ordering the product condemned and forfeited, the bad portion denatured, and the good portion returned to the claimant.

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

**13109. Adulteration of oranges. U. S. v. 461 Crates of Oranges. Decree of condemnation and forfeiture. Product released to claimant to be salvaged. (F. & D. No. 19550. I. S. No. 13584-v. S. No. E-5126.)**

On January 30, 1925, 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 461 crates of oranges, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Glen Rosa Orchards (Inc.), from Riverside, Calif., January