

13289. Misbranding of cottonseed meal. U. S. v. 1,400 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19516. I. S. Nos. 22897-v, 22848-v. S. No. C-4617.)

On or about January 21, 1925, the United States attorney for the Eastern District of Illinois, 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 1,400 sacks of cottonseed meal, remaining in the original unbroken packages at Dupou, Ill., consigned by the Buckeye Cotton Oil Co., Memphis, Tenn., alleging that the article had been shipped from Memphis, Tenn., on or about January 8, 1925, and transported from the State of Tennessee into the State of Illinois, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Buckeye Prime Cottonseed Meal Manufactured By The Buckeye Cotton Oil Co. General Offices, Cincinnati, Ohio Protein 43.00 Per Cent Minimum * * * Ammonia 8.37 Per Cent Minimum."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 43.00 Per Cent Minimum," appearing in the labeling, was false and misleading and deceived and misled the purchaser.

On February 12, 1925, the Ralston Purina Co., East St. Louis, Ill., having appeared as claimant for the property, judgment of the court was entered, finding the product liable to condemnation and forfeiture, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$4,500, in conformity with section 10 of the act.

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

13290. Adulteration of canned sardines. U. S. v. 7 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19221. S. No. E-5036.)

On December 5, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 7 cases of sardines, remaining in the original unbroken packages at Haverhill, Mass., consigned by the Seacoast Canning Co., alleging that the article had been shipped from Eastport, Me., November 15, 1923, and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Sea Lion Brand American Sardines In Cottonseed Oil Packed By Seacoast Canning Co. Eastport, Me."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, putrid, or decomposed animal substance.

On April 3, 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.*

13291. Misbranding of oil. U. S. v. Reliable Importing Co. Plea of guilty. Fine, \$50. (F. & D. No. 18739. I. S. Nos. 197-v, 15901-v.)

On March 10, 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 an information against the Reliable Importing Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, in various consignments, namely, on or about June 13, June 28, October 16, and October 20, 1923, respectively, from the State of New York into the State of Connecticut, of quantities of oil which was misbranded. The article was labeled in part: (Case) "12 ½-Gal Tins 'Contadina Brand,'" (Can) "Contadina Brand Superior Quality Oil Vegetable Salad Oil flavored slightly with Pure Olive Oil. A compound 0.98 Of Half Gallon Or 3¾ Lbs. Net."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that a portion of the product consisted of corn oil and the remainder thereof consisted of corn oil mixed with approximately 25 per cent of cottonseed oil. Examination by said bureau of 6 cans from the consignments showed an average volume of 0.481 gallon, or 3 pounds 11 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "½ Gal. Tins," borne on the cases, and the statements,