

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 13351-13400

[Approved by the Acting Secretary of Agriculture, Washington, D. C., July 27, 1925]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

13351. Adulteration of canned goods. U. S. v. Milliken, Tomlinson Co. Plea of nolo contendere. Fine, \$25. (F. & D. No. 18584, I. S. No. 1962-v.)

On September 23, 1924, the United States attorney for the District of Maine, 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 Milliken, Tomlinson Co., a corporation, Portland, Me., alleging shipment by said company, in violation of the food and drugs act, on or about November 20, 1923, from the State of Maine into the State of Massachusetts, of a quantity of canned goods which was adulterated. A portion of the article was labeled in part: "Superba Brand Loganberries" (or "Superba Brand Plum Preserves") "Milliken, Tomlinson Co. Distributors, Portland, Me." A portion of the cans were labeled in part: "Pure Cranberry Preserves"; the remainder of the said cans bore no label.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the cans examined were hard swells or leakers, and the contents of said cans were found to consist of a filthy mass, covered with mold and with a pronounced sour odor.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and putrid and decomposed vegetable substance.

On April 21, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13352. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 125 Sacks of Cottonseed Meal, et al. Decree adjudging product mislabeled and ordering its release under bond. (F. & D. No. 19573, I. S. Nos. 20861-v, 20862-v, 20863-v. S. No. W-1637.)

On February 12, 1925, the United States attorney for the District of Colorado, 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 125 sacks of cottonseed meal and 255 sacks of cottonseed cake, remaining in the original unbroken packages at Denver, Colo., consigned by the Quanah Cotton Oil Co., Quanah, Tex., alleging that the articles had been shipped from Quanah, Tex., on or about January 17, 1925, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled in part: "43% Protein Cottonseed * * * Prime Quality Manufactured by Quanah Cotton Oil Company Quanah, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per Cent."

Misbranding of the articles was alleged in the libel for the reason that the statements "Crude Protein not less than 43.00 Per Cent," "43% Protein," and "Fiber not more than 12.00 Per Cent," appearing on the labels, were false and misleading and deceived and misled the purchaser, since the products did not contain 43 per cent of protein and did contain more than 12 per cent of fiber.