

tain less than 43 per cent of protein, to wit, approximately 39.6 per cent of protein.

On June 21, 1923, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

13490. Adulteration and misbranding of canned corn. U. S. v. 740 Cases of Canned Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20072. I. S. No. 15654-v. S. No. E-5204.)

On May 19, 1925, the United States attorney for the Western 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 740 cases of canned corn, at Pittsburgh, Pa., alleging that the article had been shipped by the London Canning Co., from London, Ohio, on or about October 19, 1924; and transported from the State of Ohio 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) "Deer Creek Brand Sugar Corn * * * Packed By London Canning Company London, Ohio."

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

Misbranding was alleged for the reason that the statement "Sugar Corn," appearing in the labeling, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was sold under the distinctive name of another article.

On June 18, 1925, F. A. Fishbaugh, trading as the London Canning Co., London, Ohio, having appeared as claimant for the property and having consented to the entry of a decree of condemnation and forfeiture, judgment of the court was entered, ordering 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 \$2,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

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

13491. Adulteration of canned cherries. U. S. v. 250 Cases of Pitted Cherries. Decree entered, ordering product released under bond to be salvaged. (F. & D. No. 19570. I. S. No. 14033-v. S. No. E-5127.)

On February 9, 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 250 cases of pitted cherries, remaining in the original unbroken packages at Reading, Pa., consigned by the Egypt Canning Co., from Fairport, N. Y., alleging that the article had been shipped from Fairport, N. Y., on or about October 21, 1924, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Pride Of Egypt Brand Red Sour Pitted Cherries * * * Guaranteed And Distributed By Egypt Canning Co., Inc. Egypt, N. Y."

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 vegetable substance.

On March 4, 1925, the Egypt Canning Co., Egypt, N. Y., having appeared as claimant for the property, judgment of the court was entered, ordering 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, in conformity with section 10 of the act, conditioned in part that it be re-sorted, salvaged, repacked, and the bad portion destroyed, and that it not be sold until inspected and passed by a representative of this department.

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

13492. Misbranding of cottonseed cake. U. S. v. 150 Sacks of Cottonseed Cake. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19930. I. S. No. 23099-v. S. No. C-4687.)

On March 27, 1925, the United States attorney for the District of Kansas, 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 condemna-