

in violation of the food and drugs act. The article was labeled in part: "Owl Brand * * * Protein 41%."

Misbranding of the article was alleged in substance in the labels for the reason that the statements "41% Protein," with respect to one shipment of the product, and "41% Protein 41%," with respect to the other shipment thereof, were false and misleading and deceived and misled the purchaser, in that the article contained very much less than 41 per cent of protein.

On June 9, 1925, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be sold by the United States marshal.

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

13541. Adulteration and misbranding of fancy middlings. U. S. v. Charles A. Krause Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 17136. I. S. Nos. 4414-t, 4415-t, 4416-t.)

On July 28, 1923, the United States attorney for the Eastern District of Wisconsin, 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 Charles A. Krause Milling Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about February 11, March 25, and April 14, 1922, respectively, from the State of Wisconsin into the State of Ohio, of quantities of fancy middlings which were adulterated and misbranded. The article was labeled in part: (Sack) "Gain-Mor Fancy Middlings Made From Red Dog Corn Flour Wheat Middlings With Mill Run Screenings & Salt Manufactured By Chas. A. Krause Milling Co. Milwaukee, Wis."

Examinations of samples of the article by the Bureau of Chemistry of this department showed that it contained corn flour, a wheat product, some screenings, and an appreciable amount of a rye product, and little, if any, wheat middlings.

Adulteration of the article was alleged in the information for the reason that a mixture composed of ground bran, wheat flour, corn flour, and a rye product had been substituted for fancy middlings, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Fancy Middlings," borne on the sacks containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of fancy middlings, to wit, a product composed exclusively of middlings from wheat flour, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of fancy middlings, whereas it did not so consist but did consist of a mixture composed of ground bran, wheat flour, corn flour, and a rye product.

On June 13, 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.*

13542. Adulteration and misbranding of strawberry oil, raspberry oil, and vanilla flavor. U. S. v. H. C. Schranck Co. Plea of guilty. Fine, \$200. (F. & D. No. 16935. I. S. Nos. 11093-t, 11094-t, 11095-t, 11096-t.)

On February 15, 1923, the United States attorney for the Eastern District of Wisconsin, 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 H. C. Schranck Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 30, 1921, from the State of Wisconsin into the State of California, of quantities of strawberry oil, raspberry oil, and vanilla flavor, respectively, which were adulterated and misbranded. The articles were labeled in part, variously: "Oil Strawberry," "Oil Raspberry," "Vanilla Compound," or "Bottler's Vanilla," as the case might be, and were further labeled "H. C. Schranck Co., Milwaukee, Wisconsin."

Analyses by the Bureau of Chemistry of this department of samples of the strawberry oil and raspberry oil showed that they were alcoholic solutions of aromatic oils artificially colored. Analyses by said bureau of the vanilla flavors showed that the vanilla compound was a hydroalcoholic solution of