

about May 24, 1925, and transported from the State of Virginia into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Acme Spring Health Water Williams Brothers Norfolk, Va."

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

Misbranding was alleged for the reason that the statement "Health Water," borne on the label, was false and misleading, since the water was polluted.

On September 14, 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.

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

13878. Misbranding of butter. U. S. v. 18 Boxes, et al., of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20611. I. S. Nos. 2020-x, 2021-x, 2022-x. S. No. C-4845.)

On or about October 16, 1925, the United States attorney for the Western District of Tennessee, acting upon reports 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 62 boxes of butter, at Memphis, Tenn., consigned in various shipments on October 13, 14, and 15, 1925, respectively, alleging that the article had been shipped by the Sardis Creamery Co., from Sardis, Miss., and transported from the State of Mississippi into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended. The article was contained in cartons labeled in part: "One Pound Net Weight." The boxes containing a portion of the product were labeled in part: "From Sardis Creamery Co. * * * Sardis, Mississippi."

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

On October 21, 1925, the Sardis Creamery Co., Sardis, Miss., having appeared as claimant for the property and having admitted the allegations of the libel, 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 \$1,400, in conformity with section 10 of the act, said bond providing that the product be reconditioned under the supervision of an official of the Department of Health of Memphis, Tenn. •

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

13879. Adulteration of cottonseed cake. U. S. v. the Lamar Cotton Oil Co. Plea of nolo contendere. Fine, \$100. (F. & D. No. 19295. I. S. No. 20636-v.)

On February 5, 1925, the United States attorney for the Eastern District of Texas, 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 Lamar Cotton Oil Co., a corporation, Paris, Tex., alleging shipment by said company, in violation of the food and drugs act, on or about January 16, 1924, from the State of Texas into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Tag) "100 Lbs. 43% Protein Cotton Seed Cracked Cake Prime Quality, Manufactured by The Lamar Cotton Oil Co. Paris, Texas * * * Crude Protein 43.00% * * * Crude Fibre 12.00%."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained 39.17 per cent of protein and 14.15 per cent of crude fiber.

Adulteration of the article was alleged in the information for the reason that a substance containing less than 43 per cent of protein and more than 12 per cent of crude fiber had been substituted for cottonseed cracked cake purporting to contain 43 per cent of protein and not more than 12 per cent of crude fiber. Adulteration was alleged for the further reason that a substance deficient in protein and containing excessive crude fiber had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality