

article had been shipped by W. E. Robinson, Laurel, Del., on or about September 22, 1924, and transported from the State of Delaware into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dee Bee Brand Tomatoes * * * Packed By Davis Canning Co. Laurel, Del. U. S. A."

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

Misbranding was alleged for the reason that the statement "Tomatoes" borne on the label, was false and misleading, and deceived and misled the purchaser, and for the further reason that it was sold under the distinctive name of another article.

On August 21, 1925, no claimant having appeared for the property, a decree was entered, adjudging the product to be adulterated and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14512. Adulteration of chestnuts. U. S. v. 23 Cases of Chestnuts. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20886. I. S. No. 8021-x. S. No. E-5642.)

On February 22, 1926, the United States attorney for the Northern 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 a libel praying seizure and condemnation of 23 cases of chestnuts, at Syracuse, N. Y., alleging that the article had been shipped by the Oriental Coffee Co., Boston, Mass., on or about December 17, 1925, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the food and drugs act.

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

On April 13, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14513. Misbranding of cottonseed meal. U. S. v. 50 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20747. I. S. No. 5609-x. S. No. E-5573.)

On January 5, 1926, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 50 sacks of cottonseed meal, at Oswego, N. Y., alleging that the article had been shipped by the Marianna Sales Co., Memphis, Tenn., on or about November 20, 1925, and transported from the State of Tennessee into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Triangle Brand Cotton Seed Meal * * * 43%. Guaranteed Analysis Ammonia 8.37% Protein 43% Nitrogen 6.88% Fibre 10.00%."

It was alleged in substance in the libel that the article was deficient in protein and contained excessive fiber, and was misbranded in that the statements, "43% Guaranteed Analysis Ammonia 8.37% Protein 43.00% Nitrogen 6.88% Fibre 10.00%," were false and misleading and deceived and misled the purchaser.

On March 17, 1926, the Marianna Sales Co., Memphis, Tenn., having appeared as claimant for the property and having consented to the entry of a decree, 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 \$500, conditioned in part that it not be sold or shipped unless relabeled to show that the protein content was not over 41.1 per cent.

W. M. JARDINE, *Secretary of Agriculture.*