

It was alleged in the libel that the article was misbranded, in that the statement "Crude Protein not less than 43.00 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser, since it did not contain 43 per cent of protein.

On December 30, 1926, C. N. Troup, Las Animas, Colo., claimant, having admitted the allegations of the libel 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 otherwise disposed of contrary to law.

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

14879. Misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21457. I. S. No. 15124-x. S. No. W-1890.)

On December 14, 1926, 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 seizure and condemnation of 400 sacks of cottonseed cake, remaining in the original unbroken packages at Crook, Colo., consigned by the Fort Worth Cotton Oil Mill, North Fort Worth, Tex., alleging that the article had been shipped from North Fort Worth, Tex., on or about November 30, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Cottonseed Cake Prime Quality Manufactured by Fort Worth Cotton Oil Mill, North Fort Worth, Texas. Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

It was alleged in the libel that the article was misbranded, in that the statement "Crude Protein not less than 43.00 Per Cent," borne on the label, was false and misleading and deceived and misled the purchaser, since the said article did not contain 43 per cent of protein.

On December 27, 1926, the Logan & Wells Farms Co., a Colorado corporation, claimant, having admitted the allegations of the libel 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 \$1,000, conditioned in part that it not be sold or otherwise disposed of contrary to law.

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

14880. Adulteration of cut string beans. U. S. v. 1,400 Cases of Cut String Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21388. S. No. E-5904.)

On November 20, 1926, 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 seizure and condemnation of 1,400 cases of cut string beans, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Thomas Roberts & Co., alleging that the article had been shipped from Townsend, Del., on or about August 21, 1926, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Justright Green Cut Stringless Beans * * * Packed By E M Records & Co. Inc. Townsend, Del."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On February 10, 1927, 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.*

14881. Adulteration and misbranding of worm seed. U. S. v. 9 Bags of Worm Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20015. I. S. No. 22578-v. S. No. C-4716.)

On April 21, 1925, the United States attorney for the District of South Dakota, 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 9 bags of worm seed, remaining in the original unbroken packages at Sioux Falls, S. Dak., alleging that the article had been shipped by the Murray & Nickell Mfg. Co., South Elgin, Ill., on or about December 6, 1924, and transported from the State of Illinois into the State of South Dakota, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that its strength fell below the professed standard and quality under which it was sold, since it contained practically none of the volatile oil which is the medicinally active ingredient of the article, and had a rancid odor.

Misbranding was alleged for the reason that the statement "Worm Seed," borne on the tag attached to the bags containing the article, was misleading, in that the term "Worm Seed" implies a normal sound product, whereas the said article was rancid and practically devoid of all essential oil.

On December 28, 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.*

14882. Misbranding of Sal Tonik. U. S. v. 5 Packages and 11 Packages of Sal Tonik. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 18012, 18013. I. S. Nos. 5652-v, 5653-v. S. Nos. C-4163, C-4165.)

On November 23, 1923, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 16 packages, 50-pound blocks, of Sal Tonik, remaining in the original unbroken packages, in part at Flandreau, S. Dak., and in part at Ward, S. Dak., alleging shipment in two consignments, on or about September 24 and 25, 1923, respectively, by the Guarantee Veterinary Co., Sioux City, Iowa, alleging that the article had been shipped in interstate commerce from Sioux City, Iowa, into the State of South Dakota, and charging misbranding in violation of the food and drugs act as amended.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it consisted essentially of 89.3 per cent of salt (sodium chloride) and contained small amounts of sulphur, sodium sulphate, sodium carbonate, iron oxide, and calcium carbonate, with traces of a magnesium compound and plant material.

It was alleged in the libels that the article was misbranded in violation of section 8 of the act, general paragraph under drugs, in that the labeling stated "Red Pepper (Capsicum) present," whereas analysis showed it to be absent. It was further alleged that the article was misbranded, in that the following statements regarding the curative and therapeutic effects of the said article, borne on the labels, were false and fraudulent, since it contained no ingredient or combination of ingredients, capable of producing the effects claimed: (Carton and circular) "Disease Preventive Worm Destroyer," (circular) "Composed of * * * worm destroying drugs * * * worm destroyers * * * is a Vermifuge (Worm Destroyer) * * * stock * * * will Doctor Themselves Automatically * * * supplies them with * * * vermifuges (worm destroyers) just When and Where your hogs * * * sheep * * * cows * * * horses need them and Doctors Them Automatically * * * positively destroys stomach worms and free intestinal worms As Soon As They Are Hatched * * * this is the * * * way to rid your stock of worms * * * prevents many diseases caused by these worms * * * works along the lines of prevention: that is Kill The Worm While It Is Small * * * Is intended to keep your animals From Getting Sick * * * to Destroy The Worm As Soon As It Is Hatched."

On December 28, 1926, 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 destroyed by the United States marshal.

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

14883. Adulteration and misbranding of butter. U. S. v. Harrow-Taylor Butter Co. Plea of guilty. Fine, \$52. (F. & D. No. 21553. I. S. Nos. 14854-v, 22358-v.)

On December 16, 1926, the United States attorney for the Western District of Missouri, 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 Harrow-Taylor Butter Co., Kansas City, Mo., alleging shipment by said