

14984. Adulteration and misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Decree entered, ordering product released under bond to be relabeled. (F. & D. No. 21451. I. S. No. 15104-x. S. No. W-1887.)

On December 11, 1926, the United States attorney for the District of New Mexico, 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, at Colmor, N. Mex., alleging that the article had been shipped by the Brownwood Cotton Oil Mills, Brownwood, Tex., November 28, 1926, and transported from the State of Texas into the State of New Mexico, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "43 Per Cent Protein Cottonseed Cake, Prime Quality, Manufactured by Brownwood Cotton Oil Mills, Brownwood, Texas, Guaranteed Analysis, Protein not less than 43 per cent."

It was alleged in substance in the libel that the said sacks were misbranded and the contents thereof adulterated, in that the statements on the labels, regarding the chemical contents of the article, were false and misleading and were intended and calculated to deceive and did deceive the purchaser, in that a product containing less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed cake, which the said article purported to be.

On January 17, 1927, Roscoe Spriggs, Colmor, N. Mex., having appeared as claimant for the property, and the court having found that the material allegations of the libel were true, a decree 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 \$1,500, conditioned in part that it be relabeled to show the true protein content.

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

14985. Adulteration and misbranding of coffee. U. S. v. 10 Cans, 27 Pounds Each, of Coffee. Default decree of forfeiture and sale entered. (F. & D. No. 21337. I. S. No. 11746-x. S. No. C-5247.)

On or about October 30, 1926, 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 a libel praying seizure and condemnation of 10 cans, each containing 27 pounds, of coffee, remaining in the original unbroken packages at Atlanta, Tex., alleging that the article had been shipped by the R. J. Newson Mfg. Co., Inc., Shreveport, La., on or about August 23, 1926, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "From R. J. Newson Mfg. Co. Inc. Shreveport, La.," and was invoiced "Santos Peaberry Blend."

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

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 14, 1927, no claimant having appeared for the property, judgment of forfeiture was entered, and it was ordered by the court that the product be relabeled "Coffee, Chicory and Cereal," and sold by the United States marshal.

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

14986. Adulteration and misbranding of butter. U. S. v. 11 Cartons and 6 Cartons of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21529. I. S. Nos. 3482-x, 3483-x. S. No. C-5295.)

On December 8, 1926, the United States attorney for the District of Minnesota, 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 condem-