

It was alleged in the information that the article was adulterated, in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On October 6, 1926, the defendant entered a plea of guilty to the information and the court imposed a fine of \$100.

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

15228. Misbranding and alleged adulteration of feed barley. U. S. v. 26 Sacks of Feed Barley. Consent decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 18793. I. S. No. 12702-v. S. No. E-4869.)

On June 19, 1924, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the district aforesaid, holding a district court, a libel praying seizure and condemnation of 26 sacks of feed barley, remaining in the original unbroken packages at Washington, D. C., alleging that the article was being sold and offered for sale in the District of Columbia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ajax Ground Feed Barley Average Analysis Protein 11% * * * Fibre 10% * * * Manufactured By Cokato Milling Co., Minneapolis, Minn."

It was alleged in the libel that the article was adulterated in that it consisted of a mixture of ground barley, oats, wheat and weed seeds, which had been substituted wholly or in part for the said article, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength.

Misbranding was alleged for the reason that the statements, "Protein 11% * * * Fibre 10%," "Ground Feed Barley," borne on the label, were false and misleading and deceived and misled the purchaser.

On July 26, 1924, W. S. Hoge & Bro., Washington, D. C., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of \$25 to secure that it not be sold or otherwise disposed of contrary to law.

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

15229. Adulteration and misbranding of feed. U. S. v. The Sturges Co. Plea of guilty. Fine, \$50. (F. & D. No. 19294. I. S. Nos. 18148-v, 18149-v, 18150-v.)

On March 18, 1925, the United States attorney for the Southern District of Mississippi, 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 Sturges Co., a corporation, Meridian, Miss., alleging shipment by said company, in violation of the food and drugs act as amended, on or about March 15, 1924, from the State of Mississippi into the State of Alabama, of quantities of feed, which was misbranded, and a portion of which was adulterated. The article was labeled, variously: "100 Pounds Bar-Nun Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss. * * * Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal and Molasses," "100 Pounds Pronto Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss. * * * Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal, Oat Meal Mill By-Products (Oat Hulls, Oat Dust, Rice Bran, Oat Shorts) and Molasses," and "100 Pounds Little Ben Horse and Mule Feed Manufactured by The Sturges Company, Meridian, Miss."

It was alleged in the information that the "Bar-Nun" brand and the "Pronto" brand feed were adulterated, in that a substance containing no cottonseed meal, with respect to the former, and a substance devoid of rice bran and containing a negligible quantity of cottonseed meal, with respect to the latter, had been substituted for a horse and mule feed made from the ingredients declared on the label, which the article purported to be. Adulteration was alleged for the further reason that valuable constituents of the article, to wit, cottonseed meal, in the case of the "Bar-Nun" feed, and rice bran and cottonseed meal, with respect to the "Pronto" feed, had been abstracted from the article.

Misbranding was alleged for the reason that the statements, to wit, "100 Pounds Bar-Nun Horse and Mule Feed * * * Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal and Molasses," "100 Pounds Pronto Horse and Mule Feed * * * Made from Corn, Oats, Alfalfa Meal, Cottonseed Meal,