

15418. Misbranding of feed. U. S. v. 300 Sacks of Feed. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22333. I. S. No. 8544-x. S. No. 387.)

On December 28, 1927, the United States attorney for the Eastern District of Kentucky, 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 300 sacks of feed, remaining unsold at Middlesboro, Ky., alleging that the article had been shipped from the Hood Feed Co., Chattanooga, Tenn., on or about November 23, 1927, and transported from the State of Tennessee into the State of Kentucky, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Hood Special Fine Feed, Made by Hood Feed Co., Chattanooga, Tenn., Guaranteed Analysis Protein 15 per cent."

It was alleged in the libel that the article was misbranded, in that the statement "Protein 15 Per cent" was false and misleading and deceived and misled the purchaser.

On January 9, 1928, Charles F. Hood, Chattanooga, Tenn., having appeared as claimant for the property, 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 until relabeled in compliance with the law.

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

15419. Adulteration of fig bars. U. S. v. 24 Boxes of Fig Bars. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22302. I. S. No. 9913-x. S. No. 342.)

On December 16, 1927, the United States attorney for the District of Montana, 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 24 boxes of fig bars, at Helena, Mont., alleging that the article had been shipped by the Old Mission Fig Bar Co., from Oakland, Calif., on or about October 18, 1927, and transported from the State of California into the State of Montana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Old Mission Fig Bars."

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 substance.

On January 11, 1928, 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.*

15420. Adulteration and misbranding of cottonseed meal. U. S. v. 1,200 Sacks of Cotton Seed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22319. I. S. Nos. 15848-x, 15849-x. S. No. 366.)

On December 23, 1927, 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 1,200 sacks of cottonseed meal, at Eaton, N. Y., alleging that the article had been shipped by the Lagrange Cotton Oil Co., Lagrange, Ga., in two consignments, on or about December 9 and December 10, 1927, respectively, and transported from the State of Georgia 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: "Paramount Brand Good Cotton Seed Meal, Ashcraft-Wilkinson Co., Atlanta, Ga., Guaranteed Analysis Protein Minimum 36 per cent."

It was alleged in substance in the libel that the article was adulterated, in that a substance deficient in protein had been mixed and packed with the said article so as to reduce, lower, or injuriously affect its quality and strength, and in that a substitute had been packed, wholly, or in part, for the alleged cottonseed meal.

Misbranding was alleged for the reason that the statements "Cotton Seed Meal," and "Protein Minimum 36 per cent," borne on the labels, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On January 6, 1928, the Ashcraft-Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property and having consented to the entry of a decree,