

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Guaranteed Analysis Protein 10% Fat 2% * * * Fibre 15%" and "Guaranteed Analysis Protein 10%, Fat 2%," regarding respective portions of the "Ozark" feed, and "Guaranteed Analysis Protein 10%," regarding the "Dakota" feed, borne on the labels, were false and misleading in that the said statements represented that the article contained 10 per cent of protein, that the "Ozark" feed contained 2 per cent of fat, and that a portion of the said "Ozark" feed contained 15 per cent of fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained the amount of protein, fat, and fiber declared in the said statements, whereas it contained less than 10 per cent of protein, the "Ozark" feed contained less than 2 per cent of fat, and a portion of the said "Ozark" feed contained more than 15 per cent of fiber.

At the said November, 1927, term of court a plea of guilty to the information was entered on behalf of the defendant company and the court imposed a fine of \$50.

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

15546. Adulteration of frozen eggs. U. S. v. 625 Cans of Frozen Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22289. I. S. No. 20953-x. S. No. 340.)

On December 15, 1927, the United States attorney for the Southern 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 625 cans of frozen eggs, consigned by the U. S. Cold Storage Co., Kansas City, Mo., remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped from Kansas City, Mo., on or about November 25, 1927, and transported from the State of Missouri into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid substance, to wit, rotten, sour, and musty eggs.

On January 4, 1928, Ralph Hurst, Kansas City, Mo., 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 \$5,000, conditioned in part that it be salvaged by separating the good portion from the bad portion, and the latter destroyed or denatured.

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

15547. Adulteration and misbranding of mustard. U. S. v. Louis H. Morehouse (Morehouse Mustard Mills, Packers Supply Co.). Plea of guilty. Fine, \$600. (F. & D. No. 19680. I. S. Nos. 12004-v, 12005-v, 20064-v, 20065-v, 20215-v, 20216-v, 20277-v, 20807-v.)

On November 27, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Louis H. Morehouse, a member of a copartnership trading as Morehouse Mustard Mills, and Packers Supply Co., Oakland, Calif., alleging shipment by said defendant, in various consignments, between the dates of February 27, 1924, and July 7, 1924, from the State of California into the States of Washington, Oregon, Nevada, and Utah, respectively, of quantities of mustard which was adulterated and misbranded. The article was labeled, variously: "Salad Morehouse Mustard, Mustard Seed, Mustard Cake, Vinegar, Spices, Salt and Turmeric, Morehouse, Oakland, Los Angeles, Seattle;" "Prepared Old English Style Morehouse Mustard, Mustard Seed, Vinegar, Spices, Salt and Turmeric, Morehouse Mustard Mills, Los Angeles, Oakland;" "Prepared French Style, Morehouse Mustard Seed, Mustard Cake, Vinegar, Spices, Salt, Morehouse, Oakland, Los Angeles, Seattle;" "Palace Car Brand Salad Mustard."

It was alleged in the information that the article was adulterated, in that added mustard bran had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the said article.