

of California into the State of Oregon, 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, putrid, or decomposed vegetable substance.

On March 2, 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.*

15616. Adulteration of dried black figs. U. S. v. 74 Boxes of Dried Black Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22338. I. S. No. 13150-x. S. No. 392.)

On December 31, 1927, 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 74 boxes of dried black figs, remaining in the original unbroken packages at Pueblo, Colo., consigned by the Sunland Sales Cooperative Assoc., Fresno, Calif., alleging that the article had been shipped from Fresno, Calif., in part on or about October 27, 1927, and in part on or about November 21, 1927, and had been transported from the State of California into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Blue Ribbon Brand Choice Mission Figs Produced & Packed by California Peach & Fig Growers. Main Office, Fresno, California."

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 vegetable substance.

On January 16, 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.*

15617. Adulteration of mixed nuts. U. S. v. 74 Bags of Mixed Nuts. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22237. I. S. No. 20352-x. S. No. 277.)

On November 29, 1927, the United States attorney for the District of Maryland, 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 74 bags of mixed nuts, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Wm. A. Higgins & Co., Inc., from New York, N. Y., on or about October 20, 1927, and had been transported from the State of New York into the State of Maryland, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Tip Top Mixed Nuts."

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

On January 25, 1928, Wm. A. Higgins & Co., Inc., 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 \$1,500, conditioned in part that it not be sold or disposed of until separated, picked, and reconditioned to conform with the law.

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

15618. Misbranding of cottonseed meal. U. S. v. 212 Bags of Cottonseed Meal. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22191. I. S. No. 11872-x. S. No. 242.)

On November 21, 1927, the United States attorney for the District of Maryland, 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 212 bags of cottonseed meal, remaining in the original unbroken packages at Cumberland, Md., alleging that the article had been shipped by the Home Oil Mills Co., from Decatur, Ala., on or about August 10, 1927, and had been transported from the State of Alabama into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Guaranteed Analysis Owl Brand 41% Prime Cotton Seed

Meal * * * Protein (Min.) 41.00% * * * Nitrogen (Min.) 6.56%
 * * * Fibre (Max.) 10.00% * * * Manufactured for F. W. Brode Corporation, Memphis, Tennessee."

It was alleged in the libel that the article was misbranded, in that the statements, "Guaranteed Analysis 41% Prime Cotton Seed Meal * * * Protein (Min.) 41.00% * * * Nitrogen (Min.) 6.56% * * * Fibre (Max.) 10.00%," borne on the label, were false and misleading and deceived and misled purchasers. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On December 14, 1927, the Deal Bros. Milling Co., Cumberland, Md., 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 \$1,500, conditioned in part that it not be sold or otherwise disposed of until properly tagged with the true protein content.

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

15619. Misbranding of lemon snaps, vanilla snaps, sugar wafers, and cheese puffs. U. S. v. Pacific Coast Biscuit Co. Plea of guilty. Fine, \$140. (F. & D. No. 22522. I. S. Nos. 10973-x, 10976-x, 11108-x, 11135-x, 11137-x, 11150-x, 12776-x.)

On December 20, 1927, the United States attorney for the Southern 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 the Pacific Coast Biscuit Co., a corporation, trading at Los Angeles, Calif., alleging shipment by said company, in violation of the food and drugs act as amended, between the dates of November 23, 1926, and March 3, 1927, from the State of California, in part into the State of New Mexico, and in part into the State of Arizona, of quantities of lemon snaps, vanilla snaps, sugar wafers, and cheese puffs, which were misbranded. The articles were labeled variously: "Swas-tika Lemon Snaps * * * Pacific Coast Biscuit Company Net Weight 3 Oz.;" "Swas-Tika Vanilla Snaps Pacific Coast Biscuit Company Net Weight 3 Oz.;" "Fiesta Sugar Wafers Lemon * * * Snowflake Bakers Product * * * Pacific Coast Biscuit Company Net Weight 1¼ Ounces," or "* * * Cheese Puffs Net Weight 2¾ Oz. * * * Pacific Coast Biscuit Company."

It was alleged in the information that the articles were misbranded in that the statements, to wit, "Net Weight 3 Oz.," "Net Weight 1¼ Ounces," and "Net Weight 2¾ Oz.," borne on the labels of the packages containing the respective articles, regarding the quantity of the articles contained therein, were false and misleading, in that the said statements represented that the packages contained 3 ounces, 1¼ ounces, or 2¾ ounces, as the case might be, of the said articles, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said packages contained the amount declared on the label, whereas each of a number of said packages contained less than declared on the label. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, in that the quantity declared was more than the actual contents of the package.

On January 3, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$140.

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

15620. Adulteration and misbranding of olive oil. U. S. v. 55 Gallon Cans, et al., of Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 22352. I. S. Nos. 21029-x, 21030-x, 21031-x, 21032-x, S. No. 409.)

On January 30, 1928, the United States attorney for the District of Massachusetts, 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 55 gallon cans and 131 half-gallon cans of olive oil, shipped by Thomas DeConcilis, remaining in the original unbroken packages at Attleboro, Mass., alleging that the article had been shipped from Providence, R. I., on or about April 6, 1927, and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated, in that a substance, cottonseed oil, had been substituted in part for the said article, and had