

16336. Adulteration and misbranding of feed. U. S. v. Atlantic Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 19664. I. S. Nos. 16604-v. 16605-v.)

On January 23, 1926, the United States attorney for the Southern District of Georgia, 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 Atlantic Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, in two consignments, on or about April 22, 1924, and May 14, 1924, respectively, from the State of Georgia into the State of North Carolina, of quantities of feed which was adulterated and misbranded. The article was labeled in part: "Amco Horse and Mule Feed Manufactured By Atlantic Milling Co. Augusta, Ga. Guaranteed Analysis: Protein 10%, Fat 2% * * * Ingredients: Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, ½ of 1% Salt."

It was alleged in the information that the article was adulterated in that a product which contained less than 10 per cent of protein and less than 2 per cent of fat, and which contained no whole oats and very little, if any, alfalfa meal and which contained undeclared cottonseed meal, had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis, Protein 10%, Fat 2% * * * Ingredients, Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, ½ to 1% Salt," borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the article was composed wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half of 1 per cent of salt and contained not less than 10 per cent of protein and not less than 2 per cent of fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of the said ingredients, and contained not less than the declared amounts of protein and fat, respectively, whereas the said article was not composed of the said ingredients, but was a product which contained no whole oats and very little, if any, alfalfa meal, and which contained undeclared cottonseed meal, and said article contained less than 10 per cent of protein and less than 2 per cent of fat, the two consignments containing approximately 8.56 per cent and 8.12 per cent of protein, respectively, and 1.10 per cent and 1.85 per cent of fat, respectively.

On March 19, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16337. Adulteration of frozen chickens. U. S. v. 1 Barrel of Frozen Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23146. I. S. No. 04577. S. No. 1251.)

On October 16, 1928, the United States attorney for the Northern District of Illinois, 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 barrel of frozen chickens at Chicago, Ill., alleging that the article had been shipped by R. E. Cobb (Co.), from St. Paul, Minn., August 27, 1928, and transported from the State of Minnesota into the State of Illinois, 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 part of a filthy, decomposed, and putrid substance.

On March 19, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16338. Adulteration of frozen chickens. U. S. v. 1 Barrel of Frozen Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23147. I. S. No. 04576. S. No. 1254.)

On October 16, 1928, the United States attorney for the Northern District of Illinois, 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 barrel of frozen chickens at Chicago, Ill., alleging that the article had been shipped by the (R. E.) Cobb Co., from St. Paul, Minn., July 3, 1928, and transported from the State of Minnesota into the State of Illinois, 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 part of a filthy animal substance, and in that it consisted in part of a decomposed substance.

On March 19, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16339. Adulteration of dressed chickens. U. S. v. 1 Barrel of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23049. I. S. No. 01944. S. No. 1139.)

On September 5, 1928, the United States attorney for the Northern District of Illinois, 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 barrel of dressed chickens at Chicago, Ill., alleging that the article had been shipped by G. A. Cohenour, from Clinton, Mo., July 27, 1928, and transported from the State of Missouri into the State of Illinois, 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 part of a decomposed and filthy animal substance and in that it consisted in part of a portion of an animal unfit for food.

On March 19, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16340. Adulteration of walnut meats. U. S. v. 5 Cases, et al., of Walnut Meats. Decrees entered ordering product released under bond. (F. & D. Nos. 23477, 23507, 23520, 23628, 23629. I. S. Nos. 0530, 0545, 0546, 014430, 014433. S. Nos. 1694, 1738, 1760, 1867, 1868.)

On February 26, March 8, March 13, and April 17, 1929, respectively, the United States attorney for the District of Utah, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 15 cases and 30 cartons of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Southern California Supply Co., from Los Angeles, Calif., in various consignments, on or about February 2, February 5, February 15, February 19, and February 25, 1929, respectively, and transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The cases were labeled in part: "Invincible (or "Invincible Brand") Distributed by the Southern California Supply Co., Inc. (or "Southern California Supply Company in") Los Angeles, Calif. Shelled California Walnuts." The cartons were labeled in part: "Southern California Supply Co."

It was alleged in the libels that the article was adulterated in that it consisted wholly or in part of a filthy and putrid vegetable substance, with respect to a portion of the product, and of a filthy, decomposed, and putrid vegetable substance, with respect to the remainder thereof.

On May 6, 1929, the Southern California Supply Co., Los Angeles, Calif., claimant, having admitted the allegations of the libels, and having paid costs and filed bonds totaling \$1,775, it was ordered by the court that the product be released to the said claimant to be salvaged and sorted under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16341. Misbranding of beef scrap. U. S. v. 15 Bags of Beef Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23556. I. S. No. 012407. S. No. 1804.)

On March 23, 1929, 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 15 bags of beef scrap, remaining in the original unbroken packages at Hyattsville, Md., alleging that the article had been shipped by Herbert Bryant's Son, from Alexandria, Va., on or about February 27, 1929, and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Beef Scrap Guaranteed Analysis Protein 50.00% * * * Manufactured by Herbert Bryant's Son, Alexandria, Va."