

statements "Contents Corn, Oats, Alfalfa, Oat Shorts, Oat Middlings, Cottonseed Meal, Molasses 1%," deceived and misled the purchaser when applied to an article which contained no oats and did not consist exclusively of these ingredients, but contained in addition a material proportion of oatmeal mill by-product.

On October 16, 1928, the Carolina Milling Co. (Inc.), Dillon, S. C., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of costs and the execution of a bond in the sum of \$300, or the deposit of collateral in like amount, conditioned in part that it be relabeled to comply with the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16435. Adulteration of chickens. U. S. v. 4 Barrels of Chickens. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 22886. I. S. Nos. 02803, 02804. S. No. 947.)

On July 19, 1928, 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 4 barrels of chickens at Albany, N. Y., alleging that the article had been shipped by the Armour Creameries, from Denison, Iowa, in part June 12, and in part June 26, 1928, and transported from the State of Iowa 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 part of a filthy, decomposed, and putrid animal and of an animal unfit for food.

On September 13, 1928, Morris & Co., Albany, N. Y., having intervened and 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 destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16436. Adulteration and misbranding of cheese. U. S. v. 30 Boxes of Cheese. Default decree of condemnation and forfeiture. Product delivered to charitable institution. (F. & D. No. 23684. I. S. No. 03789. S. No. 1934.)

On May 7, 1929, 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 30 boxes of cheese, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Purity Creamery Co., from Ashland, Wis., on or before April 4, 1929, and transported from the State of Wisconsin 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: "14 B Purity Cry. Co. Ashland, Wis."

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat and containing excessive moisture had been mixed and packed with and substituted in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On May 28, 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 delivered to a charitable institution.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16437. Misbranding of alfalfa meal. U. S. v. 400 Sacks of Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23568. I. S. No. 0923. S. No. 1828.)

On or about April 3, 1929, the United States attorney for the Eastern District of Louisiana, 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 400 sacks of alfalfa meal, remaining in the original packages at New Orleans, La., alleging that the article had been shipped by the Lamar Alfalfa Milling Co., Lamar Colo., on or about February 9, 1929, and transported from the State of Colorado into the State of Louisiana, and charg-