

On October 11, 1932, R. T. French Co., Philadelphia, Pa., 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 for reconditioning under the supervision of this Department, upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act, and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20292. Adulteration and misbranding of butter. U.S. v. Farmers Equity Cooperative Creamery Association. Plea of guilty. Fine, \$100. (F. & D. no. 28070. I.S. no. 30561.)

This action was based on the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard prescribed by Congress.

On July 1, 1932, 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 the district aforesaid, an information against the Farmers Equity Cooperative Creamery Association, a corporation, Denver, Colo., alleging shipment by said company, trading under the name of Farmers Equity Creamery, in violation of the Food and Drugs Act, on or about July 11, 1931, from the State of Colorado into the State of Massachusetts, of a quantity of butter that was adulterated and misbranded. The article was labeled in part: "Silverbrook A. & P. Butter * * * Packed For or By New England Butter Whse. Springfield, Massachusetts."

It was alleged in the information that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter", borne on the packages, was false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the product contained less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On October 31, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20293. Adulteration and misbranding of cottonseed meal. U.S. v. Rome Oil Mill, Inc. Plea of guilty. Fine, \$50. (F. & D. no. 25704. I.S. nos. 016938, 016939.)

This action was based on the shipment of quantities of a product labeled as cottonseed meal containing 7 percent of ammonia, 36 percent of crude protein, and 14 percent of crude fiber, but which was in fact a cottonseed feed containing less ammonia and crude protein, and more crude fiber than labeled.

On May 16, 1932, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Rome Oil Mill, Inc., a corporation, Rome, Ga., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 20, and February 13, 1930, from the State of Georgia into the State of Tennessee, of quantities of cottonseed meal that was adulterated and misbranded. The article was labeled in part: (Tag) "Etowah Brand Cotton Seed Meal 36 Per Cent Protein Manufactured by Rome Oil Mill, Rome Ga. Guaranteed Analysis: Ammonia 7.00 per cent, Crude Protein 36.00 per cent, * * * Crude Fibre 14.00 per cent."

It was alleged in the information that the article was adulterated in that cottonseed feed containing less than 7 percent of ammonia and less than 36 percent of crude protein, and more than 14 percent of crude fiber had been substituted for the article.

Misbranding was alleged for the reason that the statements, "Cotton Seed Meal 36 Per Cent Protein * * * Guaranteed Analysis: Ammonia 7.00 per cent, Crude Protein 36.00 per cent * * * Crude Fibre 14.00 per cent", borne on the tags, were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the article was not cottonseed meal but was cottonseed feed, and it con-

tained less ammonia, less crude protein, and more crude fiber than labeled. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, cottonseed meal.

On October 7, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20294. Misbranding of canned grapefruit juice. U.S. v. 106 Cases of Canned Grapefruit Juice. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 28715. Sample no. 1681-A.)

This action involved the interstate shipment of a quantity of canned grapefruit juice, sample cans of which were found to contain less than the declared volume.

On August 17, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 106 cases of canned grapefruit juice, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about May 5, 1932, by the De Soto Canning Co., from Tampa, Fla., to Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Bert Marshall's 100% Pure * * * Grapefruit Juice * * * Packed by De Soto Canning Co., Arcadia, Florida, Contents 11 Fl. Oz."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Contents 11 Fluid Ounces," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was incorrect.

On October 27, 1932, the De Soto Canning Co., Arcadia, Fla., 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 costs and the execution of a bond in the sum of \$250, conditioned that it be relabeled under the supervision of this Department and that it should not be sold or otherwise disposed of contrary to the Federal Food and Drugs Act, and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20295. Adulteration of caraway seed. U.S. v. 3 Bags of Caraway Seed. Consent decree of condemnation and destruction. (F. & D. no. 28702. Sample no. 8845-A.)

This action involved the interstate shipment of a quantity of caraway seed which contained insect and rodent excreta.

On August 18, 1932, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three bags of caraway seed, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about July 18, 1932, by Wood & Selick, Inc., from New York, N.Y., to Pittsburgh, Pa., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Product of Holland."

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

On October 15, 1932, no claim having been made for the property, and the consignee having consented to the entry of an order of destruction, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20296. Adulteration and misbranding of assorted fruit pectin jellies. U.S. v. C. H. Musselman Co. Plea of guilty. Fine, \$100. (F. & D. no. 26651. I.S. nos. 5953, 5954, 5955, 5956, 5957, 14563, 14564, 14565, 14566.)

This action was based on several shipments of strawberry, currant, raspberry, and grape fruit pectin jellies which consisted of mixtures composed of pectin, sugar, and water with little or no fruit juices present and which, with