6708. Adulteration and misbranding of evaporated milk. U. S. * * * v. 100 Cases * * * Evaporated Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9052. I. S. No. 12138-p. S. No. C-904.)

On June 4, 1918, the United States attorney for the Southern 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 for the seizure and condemnation of 100 cases of evaporated milk, consigned on or about April 22, 1918, remaining unsold in the original unbroken packages at Quincy, Ill., alleging that the article had been shipped by the Kahoka Evaporated Milk Co., Kahoka, Mo., and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Kahoka Brand Evaporated Milk * * * is prepared from pure milk and evaporated to the consistency of creamy milk."

Adulteration of the article was alleged in the libel for the reason that partially evaporated milk had been substituted for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, evaporated milk, and in that the statement, to wit, "Evaporated Milk," was false and misleading and deceived and misled the purchaser.

On December 11, 1918, J. Trump & Sons Mercantile Co., a corporation, Kahoka, Mo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of $1,000, in conformity with section 10 of the act, conditioned in part that the product should be relabeled to show that it was partially evaporated milk.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6709. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Thomas R. Pugh and Joseph W. Pugh (Wilmot Oil Mill). Plea of guilty. Fine, $50. (F. & D. No. 9053. I. S. No. 19972-m.)

On October 10. 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas R. Pugh and Joseph W. Pugh, trading as the Wilmot Oil Mill, Wilmot, Ark., alleging the shipment by said defendants, in violation of the Food and Drugs Act, on or about December 21, 1916, from the State of Arkansas into the State of Michigan, of a quantity of an article labeled in part, "Danish Brand Cotton Seed Meal," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following result:

Protein (N x 6.25) (per cent)	33.69

Adulteration of the article was alleged in substance in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, to wit, "Guaranteed Analysis * * * Protein 36 to 38.50%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading