

**6862. Misbranding of cottonseed meal. U. S. \* \* \* v. 800 Sacks \* \* \* of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9212. I. S. No. 11915-p. S. No. C-942.)

On August 8, 1918, the United States attorney for the Eastern 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 800 sacks of cottonseed meal, consigned by W. C. Nothorn, Pine Bluff, Ark., remaining unsold in the original unbroken packages at E. St. Louis, Ill., alleging that the article had been shipped on or about May 15, 1918, and transported from the State of Arkansas into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act. The tags on the sacks bore a guaranteed analysis of 38.62 per cent of protein while the average protein content was 35.7 per cent.

Misbranding of the article was alleged in the libel for the reason that the statements on the tags and labels as to the amount of protein contained in the article were false and misleading, and deceived and misled the purchaser.

On September 2, 1918, the said W. C. Nothorn, 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 \$1,500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6863. Adulteration and misbranding of smoked salmon. U. S. \* \* \* v. 432 Cans of Sliced Smoked Salmon in Sesame Oil. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9213. I. S. No. 7503-r. S. No. C-946.)

On August 7, 1918, the United State 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 for the seizure and condemnation of 432 cans of sliced smoked salmon in sesame oil, at Chicago, Ill., alleging that the article had been shipped on or about May 1, 1918, by S. Schmidt & Co., New York, N. Y., and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged for the reason that it consisted in part of a decomposed animal substance, and for the further reason that it contained in part cottonseed oil in place of sesame oil, and for the further reason that it wholly contained cottonseed oil in place of sesame oil.

Misbranding of the article was alleged for the reason that the statement, to wit, "In Sesame Oil," borne on the labels, was false and misleading in that it purported to set forth that the article consisted of sliced smoked salmon containing a normal quantity of sesame oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted of sliced smoked salmon containing a normal quantity of sesame oil, whereas, in truth and in fact, it contained an excessive quantity of cottonseed oil in place of sesame oil.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*