

original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped on or about June 18, 1918, by the Thomas Roberts Co., Windy Hill, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Packed by the Windy Hill Packing Company Easton, Md. Pure Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On November 21, 1918, 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.*

6889. Adulteration and misbranding of olive oil. U. S. * * * v. 19 Cases, More or Less, Containing Cans of Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9385. I. S. No. 12353-r. S. No. C-988.)

On October 10, 1918, the United States attorney for the Northern District of Ohio, 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 19 cases, more or less, containing cans of oil, at Cleveland, O., alleging that the article had been shipped on or about June 10, 1918, by N. S. Monahos, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Olio Olivola" and "Winter-pressed cottonseed salad oil flavored slightly with pure olive oil, a compound."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost entirely for olive oil, which the article purported to be, thereby lowering its quality, strength, and value.

Misbranding of the article was alleged in that said labeling and design, not corrected by above-quoted words in less prominent type, were false and misleading and deceived and misled the purchaser, in that such statement and design indicated that said cans contained olive oil, when, in truth and in fact, cottonseed oil had been substituted almost entirely for olive oil. Misbranding of the article was further alleged in substance for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 4, 1918, Higgins, Babcock, Hurd Co., Cleveland, O., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

6890. Adulteration and misbranding of feed. U. S. * * * v. Marsh Commission Co. (Marco Mills). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8397. I. S. Nos. 12059-m, 12068-m, 12069-m.)

On April 19, 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

the Marsh Commission Co., trading as Marco Mills, a corporation, Pine Bluff, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on January 23, 1917, and January 25, 1917 (2 shipments), from the State of Arkansas into the State of Louisiana, of a quantity of articles, labeled in part "Jockey Horse and Mule Feed," "M Feed," and "Feedit Stock Feed," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Jockey Horse and Mule Feed.	M Feed.	Feedit Stock Feed
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Ether extract-----	1.65	2.29	1.63
Crude fiber-----	15.96	15.31	15.63
Crude protein-----	7.81	7.75	6.50

In addition to the ingredients claimed, the Jockey Horse and Mule Feed also contained peanut shells and a considerable amount of cottonseed hulls, the M Feed, kafir, peanut shells, and cottonseed hulls, and the Feedit Stock Feed, kafir or milo and a small amount of oats.

Adulteration of the Jockey Horse and Mule Feed was alleged in the information for the reason that substances, to wit, peanut shells and cottonseed hulls, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and had been substituted in part for "Jockey Horse and Mule Feed Ingredients: Corn, Oats, Alfalfa, Ground Hay, Molasses," which the article purported to be.

Adulteration of the M Feed was alleged for the reason that substances, to wit, kafir, peanut shells, and cottonseed hulls, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and had been substituted in part for "M Feed Ingredients: Corn, Oats, Alfalfa, Ground Hay, Molasses," which the article purported to be.

Adulteration of the Feedit Stock Feed was alleged for the reason that substances, to wit, kafir or milo, and oats, had been substituted in part for "Feedit Stock Feed Ingredients: Corn, Ground Hay, Ground Cotton Seed Hulls, Molasses," which the article purported to be.

Misbranding of the Jockey Horse and Mule Feed and the M Feed was alleged in substance for the reason that the statement, to wit, "Guaranteed Analysis Protein 9.75% Fat 2.50% * * * Crude Fiber 15.00% ingredients: Corn, Oats, Alfalfa, Ground Hay, Molasses," borne on the bags containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 9.75 per cent of protein, not less than 2.50 per cent of fat, and not more than 15 per cent of crude fiber, and that it consisted exclusively of corn, oats, alfalfa, ground hay, and molasses, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 9.75 per cent of protein, not less than 2.50 per cent of fat, and not more than 15 per cent of crude fiber, and that it consisted exclusively of corn, oats, alfalfa, ground hay, and molasses, whereas, in truth and in fact, it contained less than 9.75 per cent of protein, less than 2.50 per cent of fat, and more than 15 per cent of crude fiber, and did not consist exclusively of corn, oats, alfalfa, ground hay, and molasses, but contained 7.81 per cent or 7.75 per cent of protein, 1.65 per cent or 2.29 per cent of fat, and 15.96 per cent or 15.31 per cent of crude fiber, and contained peanut shells and added cottonseed hulls, or peanut shells, kafir, and added cottonseed hulls, as the case might be. Misbranding of the Feedit Stock

Feed was alleged in substance for the reason that the statement, to wit, "Guaranteed analysis: Protein 7.75% Fat 2.50 [2.00] % Ingredients: Corn, Ground Hay, Ground Cottonseed Hulls, Molasses," borne on the bags containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 7.75 per cent of protein and not less than 2.50 [2.00] per cent of fat, and that it consisted exclusively of corn, ground hay, ground cottonseed hulls, and molasses, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7.75 per cent of protein and not less than 2.50 [2.00] per cent of fat, and that it consisted exclusively of corn, ground hay, ground cottonseed hulls, and molasses, whereas, in truth and in fact, it contained less than 7.75 per cent of protein and less than 2.50 [2.00] per cent of fat, and did not consist exclusively of corn, ground hay, ground cottonseed hulls, and molasses, but contained 6.50 per cent of protein and 1.63 per cent of fat and contained kafir or milo, and added oats.

On May 20, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

6891. Misbranding of cracked cottonseed feed. U. S. * * * v. Hunt County Oil Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9348. I. S. No. 21699-m.)

On March 31, 1919, the United States attorney for the Northern District of Texas, 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 Hunt County Oil Co., a corporation, Wolfe City, Texas, alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 3, 1917, from the State of Texas into the State of New Mexico, of a quantity of an article, labeled in part "First Grade Cracked Cotton Seed Feed * * * Protein 43.00 per cent * * * Hunt County Oil Company, Wolfe City, Texas," which was 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)----- 40.12

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 43.00 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43.00 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in truth and in fact, it contained less than 43 per cent of protein, to wit, approximately 40.12 per cent of protein.

On May 10, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

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

6892. Adulteration and misbranding of olive oil. U. S. * * * v. Michael Montagnino and Ignatius Scaduto (Montagnino & Scaduto). Pleas of guilty. Fine, \$22.50. (F. & D. No. 9352. I. S. No. 1228-p.)

On January 16, 1919, 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 an information against