

Misbranding of the article was alleged in substance in the libel for the reason that the carton, label, and circular bore and contained statements, as aforesaid, regarding the curative or therapeutic effect of the article, which were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On May 18, 1920, 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 destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S572. Adulteration and misbranding of cottonseed meal. U. S. \* \* \* v. United Oil Mills, a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 12345. I. S. No. 11965-r.)**

At the April, 1920, term of the United States District Court, within and for the Eastern District of Arkansas, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information against the United Oil Mills, a corporation, Arkadelphia, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 12, 1919, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.55 per cent of nitrogen, equivalent to 34.72 per cent of crude protein. Microscopic examination showed that it contained excessive cottonseed hulls.

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

Misbranding was alleged for the reason that the statements, to wit, "Cotton Seed Meal Guaranteed Analysis \* \* \* Protein 36.00%, \* \* \* Equivalent Nitrogen 5.75% Made from pressed cotton seed," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the article consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal, that it contained not less than 36 per cent of protein and not less than 5.75 per cent of equivalent nitrogen, whereas, in truth and in fact, the article did not consist wholly of cottonseed meal, but consisted in part of cottonseed hulls, and it contained less than 36 per cent of protein and less than 5.75 per cent of equivalent nitrogen.

On September 10, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S573. Adulteration of canned salmon. U. S. \* \* \* v. 80 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12380. I. S. No. 11664-r. S. No. C-1915.)**

On April 24, 1920, the United States attorney for the Southern District of Texas, 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 80 cases of canned salmon, at Laredo, Tex., alleging that the article had been shipped by the Coast Fish Co., Anacortes, Wash., on or about January 26, 1920, and transported from the State of Washington into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Antler Brand Chum Salmon distributed by Kelley-Clarke Co., \* \* \* Seattle, Wash."

It was alleged in substance in the libel that the article was adulterated by being filthy, decomposed, and putrid.

On May 5, 1920, 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 destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S574. Misbranding of National Hog Powder. U. S. \* \* \* v. 1 Bag (100 Lbs.) of National Hog Powder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12385. I. S. No. 7367-r. S. No. C-1913.)**

On May 3, 1920, the United States attorney for the District of Indiana, 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 1 bag (100 lbs.) of National Hog Powder, remaining in the original unbroken packages at a point 2½ miles east of Glenwood, Ind., consigned February 12, 1920, alleging that the article had been shipped by the National Livestock Remedy Co., Englewood (Chicago), Ill., and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bag) "\* \* \* Made only by National Live Stock Remedy Co. Chicago, Ill.," (direction sheet in bag) "\* \* \* Swine plague \* \* \* can be prevented by the use of National Hog Powder \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sodium sulphate, ferrous sulphate, charcoal, sulphur, sand, and organic material.

Misbranding of the article was alleged in substance in the libel for the reason that the aforesaid statements, appearing upon and in the bag and accompanying direction sheet, were false and fraudulent in that the article did not have the curative and therapeutic effects claimed for it.

On June 23, 1920, 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 destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**S575. Adulteration and misbranding of canned tomatoes. U. S. \* \* \* v. 678 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12391. I. S. No. 663-r. S. No. E-2080.)**

On May 3, 1920, 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 for the seizure and condemnation of 678 cases, containing 24 cans each, of canned tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Cooperative Canneries, San Jose, Calif., October 24, 1919, and transported from the State of California into the State of New York, and charging adulteration and misbranding in