wholly or in part for, the said article, and for the further reason that it contained an added poisonous and deleterious ingredient, to wit. arsenic, which might render the said article injurious to health.

On June 25, 1921, 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.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9949. Adulteration of chocolate coating and adulteration and misbranding of cocoa liquor. U. S. * * * v. 26 Cases and 78 Cases of Chocolate Coating * * * and 18 Cases of Cocoa Liquor * * *. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15096, 15098. I. S. Nos. 10643–t, 10644–t, 10645–t. S. Nos. W–982, W–983, W–984.)

On or about June 28, 1921, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 104 cases of chocolate coating and 18 cases of cocoa liquor, remaining in the original unbroken packages at Seattle, Wash., alleging that the articles had been shipped by the D. Ghirardelli Co., San Francisco, Calif., between the dates February 7, 1920, and May 10, 1921, and transported from the State of California into the State of Washington, and charging adulteration of the chocolate coating and adulteration and misbranding of the cocoa liquor, in violation of the Food and Drugs Act. The articles were labeled in part, respectively: (Cake) "W. H. Miners Sweet Chocolate Coating * * * "; D. Ghirardelli's Confectioners Sweet Chocolate O Coating"; and "W. H. Miners Confectioners Chocolate Coating Cocoa Liquor."

Adulteration of both articles was alleged in the libels for the reason that excessive cocoa shells had been mixed and packed with, and substituted wholly or in part for, the said articles. Adulteration of the cocoa liquor was alleged for the further reason that a valuable constituent, to wit, cocoa fat, had been wholly or in part abstracted.

Misbranding of the cocoa liquor was alleged for the reason that the statement on the label, "Confectioners Chocolate Coating," was false and misleading and deceived and misled the purchaser when applied to this product.

On July 11, 1921, the D. Ghirardelli Co., San Francisco, Calif., claimant, having admitted the allegations of the libels and having confessed judgment, decrees of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of $1,100, in conformity with section 10 of the act, conditioned in part that the said products be reconditioned under the supervision of and in a manner satisfactory to this department.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9950. Misbranding of cottonseed meal. U. S. * * * v. John F. Smith, William B. Traynor, Charles A. Peacock, and Francis W. Dewson (Shelby County Cotton Oil Mill). Pleas of nolo contendere. Fine, $50 and costs. (F. & D. No. 11347. I. S. No. 10901–r.)

On January 22, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John F. Smith, William B. Traynor, Charles A. Peacock, and Francis W. Dewson, trading as the Shelby County Cotton Oil Mill, Memphis, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or