

**9408. Adulteration and misbranding of egg noodles. U. S. * * * v. 7
Cases of Egg Noodles. Default decree of condemnation, forfeiture,
and destruction. (F. & D. No. 14668. I. S. No. 10295-t. S. No. W-891.)**

On March 21, 1921, the United States attorney for the District of Colorado, 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 seven cases of egg noodles, remaining unsold in the original unbroken packages at Denver, Colo., consigned by John J. Meier & Co., St. Louis, Mo., alleging that the article had been shipped on or about July 17, 1920, and February 23, 1921, and transported from the State of Missouri into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Wide" (or "Medium" or "Fine") "14 Oz. Net Weight White Cross Brand Egg Noodles Manufactured By John J. Meier & Co. St. Louis, Mo. * * * Artificially Colored * * *"

Adulteration of the article was alleged in the libel for the reason that artificially colored plain noodles had been substituted wholly for egg noodles, which the article purported to be, and for the further reason that said noodles were colored in a manner whereby their inferiority was concealed.

Misbranding was alleged for the reason that the statement borne on the case and on the carton, to wit, "Egg Noodles," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, plain artificially colored noodles, offered for sale under the name of egg noodles.

On May 31, 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.

**9409. Adulteration and misbranding of cottonseed meal. U. S. * * * v.
300 Bags of Cottonseed Meal. Default decree of condemnation and
forfeiture. Product ordered sold. (F. & D. No. 14683. I. S. No.
10283-t. S. No. W-893.)**

On March 28, 1921, the United States attorney for the District of Colorado, 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 300 bags of cottonseed meal, remaining unsold in the original unbroken packages at Denver, Colo., consigned by the McCall Cotton & Oil Co., Phoenix, Ariz., alleging that the article had been shipped on or about January 12, 1921, and transported from the State of Arizona into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Net Weight 99 Pounds Brand McCall Co. McCall Cotton and Oil Co., Phoenix, Arizona Guaranteed Analysis Crude Protein 43.00 per cent. Crude Fat 6.00 per cent. Crude Fiber 10.00 per cent. Ash 6.60 per cent. Composed of Pressed Cottonseed."

Adulteration of the article was alleged in the libel for the reason that a product containing less than 43 per cent, to wit, 38.79 per cent, of protein meal had been substituted for 43 per cent protein meal, which said article purported to be.

Misbranding was alleged for the reason that the statement borne on the label, to wit, "Crude Protein 43.00 per cent," was false and misleading and