further reason that the said label was false and misleading with respect to the amount of ammonium chlorid, sodium chlorid, magnesium chlorid, calcium chlorid, calcium sulphate, calcium bicarbonate, ferrous bicarbonate, and alumina, as well as with respect to the total amount of dissolved mineral matter contained. Misbranding was alleged in substance for the further reason that the label was not plainly and conspicuously marked to evidence the true quantity of the contents of the said bottles.

On January 26, 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.*

9561. Adulteration and misbranding of red kidney beans. U. S. * * * v. 17 Cases, 170 Cases, and 176 Cases * * * of So-Called Red Kidney Beans. Decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 12218, 12219, 12220. I. S. Nos. 8764–r, 8765–r, 8766–r. S. Nos. C–1767, C–1768, C–1769.)

On February 24, 1920, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 17 cases, 170 cases, and 176 cases, more or less, of so-called red kidney beans, remaining unsold in the original unbroken packages, in part at Wichita and in part at Winfield, Kans., alleging that the article had been shipped by the Marshall Canning Co., Marshalltown, Iowa, on or about September 18, September 25, and December 11, 1919, respectively, and transported from the State of Iowa into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Uncle William Brand Red Kidney Beans * * * Packed by Marshall Canning Company, Marshalltown, Iowa."

Adulteration of the article was alleged in the libels for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged for the reason that the above-quoted labeling and the design of red kidney beans, appearing on the cans and cases containing the article, were false and misleading and calculated to deceive and mislead the purchaser into the belief that the said article was red kidney beans, when, in truth and in fact, it was long cranberry beans. Misbranding was alleged for the further reason that the article was an imitation of, and was sold under the distinctive name of, another article.

On March 14, 1921, the Marshall Canning Co., Marshalltown, Iowa, having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of $750, in conformity with section 10 of the act, conditioned in part that the product be rebranded so as to show its true nature and character.

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

9562. Adulteration and misbranding of red kidney beans. U. S. * * * v. 971 Cases * * * of Red Kidney Beans * * * Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 12224. I. S. No. 8578–r. S. No. C–1811.)

On March 2, 1920, 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 971 cases, more or less, of red kidney beans, consigned by the J. T. Polk Co., Greenwood, Ind., remain'ng unsold in the original unbroken packages at Danville, Ill., alleging that the article had been shipped from Greenwood, Ind., on or about August 5, 1919, and transported from the State of Indiana into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Polk's Best Red Kidney Beans * * * Superior Quality J. T. Polk Co., Greenwood, Indiana Distributors."

Adulteration of the article was alleged in the libel for the reason that long cranberry beans had been mixed and packed with, and substituted wholly or in part for, the said article.

Misbranding was alleged in substance for the reason that the statement on the cans containing the article, "Best Red Kidney Beans," together with a design of a dish containing red beans, 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.

On October 27, 1920, the J. T. Polk Co., Greenwood, Ind., having entered an appearance as claimant for the property and having shown no reason why the product should not be condemned and confiscated, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $5,000, in conformity with section 10 of the act.

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

9563. Adulteration of tomato pulp. U. S. * * * v. 152 Cases * * * of * * * Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12610. I. S. No. 10809–r. S. No. C–1900.)

On April 23, 1920, the United States attorney for the District of Kansas, 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 152 cases, more or less, of tomato pulp, remaining in the original unbroken packages at Wichita, Kans., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about October 21, 1919, and transported from the State of Indiana into the State of Kansas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "American Beauty Brand * * * Whole Tomato Pulp Austin Canning Co., Austin, Ind."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of filthy, decomposed, and putrid vegetable substances.

On September 25, 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.

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

9564. Misbranding of Texas Brand cottonseed cake or meal. U. S. * * * v. Elgin Cotton Oil Co., a Corporation. Plea of guilty. Fine, $50 and costs. (F. & D. No. 12883. I. S. No. 11972–r.)

On August 12, 1920, the United States attorney for the Western 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 Elgin