

released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

**14961. Misbranding of cottonseed meal. U. S. v. 150 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 21538. I. S. No. 9736-x. S. No. W-2086.)

On or about January 26, 1927, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 150 sacks of cottonseed meal, remaining in the original unbroken packages at Laramie, Wyo., alleging that the article had been shipped by C. R. Garner & Co., Coleman, Tex., on or about December 9, 1926, and transported from the State of Texas into the State of Wyoming, and charging misbranding in violation of the food and drugs act.

It was alleged in substance in the libel that the article was misbranded, in that it was labeled in part as follows: "Prime Quality Manufactured by Coleman Cotton Oil Mill Coleman, Texas Crude Protein not less than 43.00 Per Cent," which said label was false and misleading, in that it represented that the said article contained 43 per cent of crude protein, whereas it contained less than 43 per cent of crude protein.

On March 3, 1927, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to the owner or owners upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, and it was further ordered that the United States marshal require that the product be relabeled to show clearly the actual protein content thereof. On the same date C. R. Garner & Co., Amarillo, Tex., the owner of the product, appeared and took it down under bond.

W. M. JARDINE, *Secretary of Agriculture.*

**14962. Misbranding of salad oil. U. S. v. DeLuxe Products Co. Plea of guilty. Fine, \$200.** (F. & D. No. 21558. I. S. No. 7753-x.)

On February 25, 1927, the United States attorney for the Western District of Pennsylvania, 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 DeLuxe Products Co., a corporation, Pittsburgh, Pa., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 2, 1926, from the State of Pennsylvania into the State of West Virginia, of a quantity of salad oil which was misbranded. The article was labeled in part: "De Luxe Brand Pure Salad Oil \* \* \* 15 Fluid Ounces Guaranteed By De Luxe Products Co. N. S. Pittsburgh Pa."

Misbranding of the article was alleged in the information for the reason that the statement "15 Fluid Ounces," borne on the bottles containing the said article, was false and misleading, in that the said statement represented that the bottles each contained 15 fluidounces of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the said bottles contained 15 fluidounces of the said article, whereas, in truth and in fact, they contained a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 9, 1927, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

W. M. JARDINE, *Secretary of Agriculture.*

**14963. Misbranding of cottonseed meal. U. S. v. 800 Sacks of Cottonseed Meal. Product ordered released under bond to be relabeled.** (F. & D. No. 21663. I. S. Nos. 15453-x, 15454-x. S. No. C-5330.)

On or about February 25, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 800 sacks of cottonseed meal, at Bessemer, Ala., consigned in interstate commerce from Greenwood, Miss., into the State of Alabama, alleging that the article had been shipped by the Buckeye Cotton Oil Co., about February 4, 1927, and charging adulteration in violation of the food

and drugs act as amended. The article was labeled in part: "100 Lbs. Net Buckeye 36% Protein Cottonseed Meal Manufactured by The Buckeye Cotton Oil Co., Cincinnati, Ohio Guarantee Protein 36.00%."

Misbranding of the article was alleged in the libel for the reason that the statement "100 Lbs. Net Protein 36.00%," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1927, the Buckeye Cotton Oil Co., Cincinnati, Ohio, claimant, having admitted the allegations of the libel and having given bond in the sum of \$1,000, conditioned upon the faithful rebranding of the product, a decree was entered, ordering that the meal be released to the said claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

**14964. Misbranding of alfalfa meal and molasses feed and dairy feed. U. S. v. 89 Sacks Alfalfa Meal and Molasses Feed and 100 Sacks Bar Nun Dairy Feed. Decrees of condemnation entered. Products released under bond. (F. & D. No. 21711. I. S. Nos. 15471-x, 15472-x. S. No. C-5401.)**

On or about March 11, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 89 sacks of alfalfa meal and molasses feed and 100 sacks of Bar Nun dairy feed, at Birmingham, Ala., alleging that the articles had been shipped by the Sturges Co., from Meridian, Miss., the former about February 19, 1927, and the latter about February 23, 1927, and had been transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part, respectively: "100 Lbs. Net Alfalfa Meal And Molasses Manufactured by Royal Feed & Milling Co., Memphis, Tenn. Meridian, Miss. Guaranteed Analysis Crude Protein, not less than 10 per cent," or "100 Pounds Net Bar Nun Dairy Feed Manufactured by Sturges Company Meridian, Miss. Guaranteed Analysis: Protein, not less than 18.00%."

It was alleged in the libels that the articles were misbranded, in that the statements "100 Lbs." with respect to the alfalfa meal and molasses feed, and "100 Pounds," "Guaranteed Analysis: Protein, not less than 18.00%," with respect to the dairy feed, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was not correct.

On March 16, 1927, the Sturges Co., Meridian, Miss., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered by the court that the products be released to the said claimant upon the execution of bonds totaling \$1,000, conditioned in part that they be sold or otherwise disposed of only under the supervision of this department and after all Government requirements had been complied with.

W. M. JARDINE, *Secretary of Agriculture.*

**14965. Adulteration of oranges and tangerines. U. S. v. 238 Field Crates Oranges, et al. Decrees entered releasing products under bond. (F. & D. Nos. 21761, 21762. I. S. Nos. 15460-x, 15464-x. S. Nos. C-5342, C-5343.)**

On or about February 21 and 23, 1927, respectively, the United States attorney for the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 511 crates of oranges and 31 crates of tangerines, at Birmingham, Ala., alleging that the articles had been shipped by J. T. Futch, from Dade City, Fla., in part about February 16, 1927, and in part about February 19, 1927, and transported from the State of Florida into the State of Alabama, and charging adulteration in violation of the food and drugs act.

Examination of the article by the Bureau of Chemistry of this department showed that it was composed of frost-damaged fruit.

It was alleged in the libels that the articles were adulterated, in that they consisted wholly or in part of a decomposed vegetable substance.