

12719. Adulteration and misbranding of cottonseed cake. U. S. v. 47 Sacks of Cottonseed Cake. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18641. I. S. No. 20636-v. S. No. W-1507.)

On May 23, 1924, 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 praying the seizure and condemnation of 47 sacks of cottonseed cake, remaining in the original unbroken packages at Denver, Colo., consigned by C. R. Garner & Co., Amarillo, Texas, alleging that the article had been shipped from Paris, Texas, on or about January 16, 1924, and transported from the State of Texas into the State of Colorado, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "43% Protein Cotton Seed Cracked Cake * * * Manufactured by The Lamar Cotton Oil Co. Paris, Texas * * * Crude Protein 43.00% * * * Crude Fat 6.00% Crude Fibre 12.00%."

Adulteration of the article was alleged in the libel for the reason that a substance low in protein had been mixed and packed therewith so as to reduce and lower its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "43% Protein Cotton Seed Cracked Cake," "Crude Protein 43.00%," "Crude Fat 6.00%," and "Crude Fibre 12.00%," borne on the labels of the article, were false and misleading and deceived and misled the purchaser since the said article did not contain the protein, fat, and crude fiber in the amounts declared. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On July 21, 1924, The Lamar Cotton Oil Co., Paris, Texas, claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

HOWARD M. GORE, *Secretary of Agriculture.*

12720. Adulteration of canned blueberries. U. S. v. 275 Cases of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18530. I. S. No. 11903-v. S. No. W-928.)

On April 2, 1924, 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 praying the seizure and condemnation of 275 cases of canned blueberries, remaining in the original unbroken packages at Denver, Colo., consigned by A. & R. Loggie Co., Ltd., alleging that the article had been shipped from Columbia Falls, Me., on or about August 20, 1923, and transported from the State of Maine into the State of Colorado, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Eagle Brand Blueberries Packed At Columbia Falls, Maine. By A. & R. Loggie Co. Limited Of Loggieville, * * * Canada."

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

On June 2, 1924, 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.

HOWARD M. GORE, *Secretary of Agriculture.*

12721. Adulteration of butter. U. S. v. 2 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 18868. I. S. No. 18794-v. S. No. C-4442.)

On July 15, 1924, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 2 tubs of butter, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by E. R. Goldstein, Shelbyville, Ill., on or about July 10, 1924, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act.