13465. Adulteration and misbranding of gray shorts. U. S. v. 100 Sacks of Gray Shorts. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19566. I. S. No. 6313-v. S. No. C-4634.)

On or about February 10, 1925, the United States attorney for the Eastern District of Arkansas, 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 100 sacks of gray shorts, at Little Rock, Ark., alleging that the article had been shipped by the Kansas Flour Mills Co., from Kansas City, Mo., on or about December 22, 1924, and transported from the State of Missouri into the State of Arkansas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Grey Shorts & Wheat Screenings * * * Manufactured by The Kansas Flour Mills Company Kansas City, Mo."

Adulteration of the article was alleged in the libel for the reason that brown shorts had been substituted wholly or in part for the said article, and in that it was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the designation "Grey Shorts & Wheat Screenings" was false and misleading and deceived and misled the purchaser.

On June 26, 1925, the Darragh Co., Little Rock, Ark., having appeared as claimant for the property and having 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 $100, in conformity with section 10 of the act, conditioned that it be relabeled in part: "Wheat Brown Shorts and Ground Screenings."

C. F. MARVIN, *Acting Secretary of Agriculture.*

13466. Adulteration and misbranding of shorts and screenings. U. S. v. 64 Sacks of Shorts and Screenings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19803. I. S. No. 17980-v. S. No. C-4652.)

On February 17, 1925, the United States attorney for the Northern District of Iowa, 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 64 sacks of shorts and screenings, at Fort Dodge, Iowa, alleging that the article had been shipped by the Kansas Flour Mills Co., from Kansas City, Mo., on or about January 13, 1925, and transported from the State of Missouri into the State of Iowa, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Wheat Grey Shorts and Screenings, The Kansas Flour Mills Co., Kansas City."

Adulteration of the article was alleged in the libel for the reason that brown shorts had been substituted wholly or in part for grey shorts.

Misbranding was alleged for the reason that the designation "Wheat Grey Shorts," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On June 23, 1925, the Kansas Flour Mills Co., Kansas City, Mo., having appeared 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 the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $500, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

13467. Adulteration and misbranding of tomato paste. U. S. v. 65 Cases of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. No. 19435. I. S. No. 22799-v. S. No. C-4586.)

On December 26, 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 65 cases of tomato paste, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Hershel California Fruit Products Co., San Jose, Calif., on or about October 4, 1924, and transported from the State of California into the State