On May 11, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

14268. Misbranding of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Decree adjudging product misbranded and ordering its release under bond. (F. & D. No. 20809. I. S. Nos. 369-x, 370-x. S. No. W-1860.)

On February 8, 1926, 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 seizure and condemnation of 400 sacks of cottonseed cake, remaining in the original unbroken packages at Denver, Colo., consigned by the Quanah Cotton Oil Co., alleging that the article had been shipped from Quanah, Tex., on or about January 18, 1926, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The article was labeled in part: 43% Protein Cottonseed Cake. Manufactured by Quanah Cotton Oil Company, Quanah, Texas Guaranteed Analysis."

Misbranding of the article was alleged in the libel for the reason that the statement "43% Protein Cottonseed Cake," borne on the label, was false and misleading, and deceived and misled the purchaser, since the product did not contain 43 per cent of protein.

On March 11, 1926, the Quanah Cotton Oil Co., Quanah, Tex., having appeared as claimant for the property and having proved ownership thereof, a decree was entered, finding the product misbranded, and it was ordered by the court that it be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $600, in conformity with section 10 of the act and that the claimant be permitted to examine and relabel the said property according to its true and correct contents.

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

14269. Misbranding of cottonseed meal and cottonseed cake. U. S. v. 115 Sacks of Cottonseed Cake, et al. Decree of forfeiture entered. Products released under bond. (F. & D. Nos. 20928, 20938, 20958. I. S. Nos. 434-x, 435-x, 441-x, 442-x, 443-x, 447-x, 448-x. S. Nos. W-1916, W-1921, W-1927.)

On or about March 20, 27, and 30, 1926, respectively, the United States attorney for the District of Colorado, 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 638 sacks of cottonseed cake or meal, remaining in the original unbroken packages in part at Walsenburg, Colo., and in part at Trinidad, Colo., consigned by the Quanah Cotton Oil Co., alleging that the articles had been shipped from Quanah, Tex., in various consignments, namely, on or about November 26, 1925, and January 12 and February 1, 1926, respectively, and transported from the State of Texas into the State of Colorado, and charging misbranding in violation of the food and drugs act. The articles were labeled, variously: "43% Protein Cottonseed Cake Prime Quality Manufactured by Quanah Cotton Oil Company Quanah, Texas Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent"; "Crude Protein not less than 43.00 Per Cent"; "43% Protein Cottonseed Meal" (or "Cake") "Prime Quality."

Misbranding of the articles was alleged in the libels for the reason that the statements, "Protein not less than 43.00 Per Cent," "43% Protein," "43% Protein Cottonseed Cake," and "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent," as the case might be, borne on the various labels, were false and misleading and deceived and misled the purchaser, since the said articles did not contain 43 per cent of protein.

On April 21, 1926, the Quanah Cotton Oil Co., Quanah, Tex., having appeared as claimant for the property and having proved ownership thereof, on a finding by the court that the products were misbranded, judgment of forfeiture was entered, and it was ordered by the court that the said products be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of $1,300, in conformity with section 10 of the act, and that the claimant be permitted to examine and relabel them to show the correct contents.

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