14590. Misbranding of meat and bone scrap. U. S. v. 150 Sacks of Meat and Bone Scrap. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20741. I. S. No. 8674-x. S. No. E-5560.)

On December 30, 1925, the United States attorney for the District of Maryland, 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 meat and bone scrap, remaining in the original unbroken packages at Walkersville, Md., alleging that the article had been shipped by the Berg Co., from Philadelphia, Pa., on or about September 3, 1925, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Berg's 50% Protein Poultry Meat & Bone Scrap Guaranteed Analysis Min. Protein 50.00% * * * Manufactured By The Berg Company Incorporated Philadelphia, Pa."

Misbranding of the article was alleged in the libel for the reason that the label bore the following statement "50% Protein * * * Guaranteed Analysis Min. Protein 50.00%," which was false and misleading and deceived and misled the purchaser.

On February 10, 1926, the Berg Co., Philadelphia, Pa., having appeared as claimant for the property, judgment of condemnation 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 $862.50, conditioned in part that it not be sold or disposed of until labeled to show the correct contents, and inspected and approved by this department.

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

14591. Misbranding of flour. U. S. v. 22 Sacks of Flour. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20205. I. S. No. 16267-v. S. No. E-5420.)

On July 7, 1925, the United States attorney for the Western District of South Carolina, 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 22 sacks of flour, at Fort Mill, S. C., alleging that the article had been shipped by the Model Mills, from Lexington, N. C., on or about June 18, 1925, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "24 Lbs. When Packed."

Misbranding of the article was alleged in the libel for the reason that the statement borne on the label, to wit, "24 Lbs. When Packed," was false and misleading and deceived and misled the purchaser. 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 October 23, 1925, the Model Mills, Lexington, N. C., having appeared as claimant for the property and having admitted the allegations of the libel, 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, conditioned in part that the sacks be filled to the declared amount, and that it not be offered for sale or sold without having been so refilled and the words "When Packed" obliterated from the label.

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

14592. Adulteration and misbranding of malted milk. U. S. v. 16 Barrels of Malted Milk. Consent decree of condemnation and forfeiture. Product released under bond for use as hog feed. (F. & D. No. 20047. I. S. No. 24554-v. S. No. C-4719.)

On April 25, 1925, the United States attorney for the District of Indiana, 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 16 barrels of malted milk, remaining in the original unbroken packages at Logansport, Ind., alleging that the article had been shipped by the Western Feed Manufacturers, Chicago, Ill., August 22, 1924, and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Malted Milk From Western Feed Manufacturers, Inc. * * * Chi-