It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 26, 1928, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16334. Adulteration of ice cream cones. U. S. v. 31000 Ice Cream Cones. Default decree of destruction entered. (F. & D. No. 21294. I. S. Nos. 3382-x, 3383-x. S. No. C-5237.)

On September 17, 1926, the United States attorney for the District of Minnesota, 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 31,000 ice cream cones, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Central Cone Co., from Chicago, Ill., August 7, 1926, and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Cartons) "250 Marvel Sugar Egg Cones * * * Manufactured by Central Cone Co., Inc., Chicago." The remainder of the said article was labeled in part: (Cartons) "250 Cenco Cones Sugar Cake Ice Cream Cones * * * From Central Cone Co. Chicago."

It was alleged in the libel that the article was adulterated in that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous ingredient, saccharin, which might have rendered it injurious to health.

On March 7, 1929, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16335. Adulteration and misbranding of feed. U. S. v. Atlantic Milling Co. Plea of guilty. Fine, $50. (F. & D. No. 19674. I. S. No. 16626-v.)

On October 25, 1925, the United States attorney for the Southern District of Georgia, 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 Atlantic Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about January 6, 1925, from the State of Georgia into the State of North Carolina, of a quantity of feed which was adulterated and misbranded. The article was labeled in part: (Tag) "Amco Horse and Mule Feed Manufactured By Atlantic Milling Company, Augusta, Ga."

It was alleged in the information that the article was adulterated in that a product composed in part of undeclared peanut hulls and which contained no oats had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis, Protein 10%, Fat 2% * * * Fibre 15%, Ingredients: Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, ½ to 1% Salt," borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the article contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, whereas the said article contained less protein and fat and more fiber than declared, to wit, approximately 7.81 per cent of protein, 1.91 per cent of fat, and 18.97 per cent of fiber, and did not consist wholly of the declared ingredients, but did consist in part of peanut hulls and contained no oats.

On March 19, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

ARTHUR M. HYDE, *Secretary of Agriculture.*