part: (Tin) "One Gallon Elephant Brand Imported Virgin Olive Oil Embro Import Co. Sole Distributors."

It was alleged in the libel that the article was misbranded in that the statement "One Gallon" was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the product was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement "One Gallon" was incorrect.

On May 3, 1932, Moscahlades Bros. (Inc.), a corporation of New York, intervened and filed an affidavit of ownership, claim, and answer. On June 3, 1932, the petitioner prayed the entry of an order granting leave to withdraw the said affidavit, claim appearance, and answer, which was allowed. On June 30, 1932, there being no appearance or answer of record, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the words "One Gallon" be obliterated from the cans and that the product be sold by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19951. Adulteration of cull dressed poultry. U. S. v. 9 Barrels and 1 Box of Cull Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (No. 77-A. F. & D. No. 28249.)

This action involved the interstate shipment of dressed poultry, which was found to be in part diseased and decomposed.

On April 26, 1932, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 9 barrels and 1 box, totaling 2,000 pounds, of cull dressed poultry, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about April 16, 1932, by the Utah Poultry Producers Cooperative Association, from Salt Lake City, Utah, to San Francisco, Calif., and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, and in that it was a product of diseased animals.

On July 7, 1932, 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.

HENRY A. WALLACE, *Secretary of Agriculture.*

19952. Misbranding of cottonseed meal. U. S. v. 42 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 28250. I. S. No. 32638. S. No. 6116.)

This action involved the interstate shipment of a quantity of cottonseed meal, samples of which were found to contain less than 43 per cent of protein, the amount declared on the label.

On April 30, 1932, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 42 sacks of cottonseed meal at Roundup, Mont., alleging that the article had been shipped in interstate commerce on or about March 10, 1932, by Swift & Co. (Swift & Co. Oil Mill), from Little Rock, Ark., to Roundup, Mont., and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Sacks) "Hayes Brand Cottonseed Meal and Cracked Screened Cottonseed Cake Net Weight 100 lbs. Guaranteed Analysis Protein 43.00%."

It was alleged in the libel that the article was misbranded in that it was represented to contain 43 per cent of protein, which was false and misleading and deceived and misled the purchaser, since the product did not have a protein content of 43 per cent.

On July 27, 1932, 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 sold by the United States marshal after obliterating the brands and label.

HENRY A. WALLACE, *Secretary of Agriculture.*