

## United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

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### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5551-5609.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., March 27, 1918.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5551. Misbranding and alleged adulteration of so-called mustard seed. U. S. \* \* \* v. 260 Bags \* \* \* of Rapeseed. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 7505. I. S. No. 12921-1. S. No. C-535.)

On June 6, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 260 bags, each containing 160 pounds of rapeseed, alleging that the article had been shipped on or about May 6, 1916, by the North American Mercantile Co., San Francisco, Cal., and transported from the State of California into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was invoiced as mustard seed.

Adulteration of the article was alleged in the libel for the reason that yellow rapeseed, brown seeds, and dirt had been substituted wholly for mustard seed, which the article purported to be.

Misbranding was alleged for the reason that said rapeseed was an imitation of and offered for sale under the distinctive name of another article, to wit, mustard seed.

On April 14, 1917, the Widlar Co., Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, the court finding the product misbranded, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that said article should not be sold or disposed of unless properly labeled to show the true character of said rapeseed.

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