

valuable constituents of the article had been wholly or in part abstracted therefrom.

On February 7, 1920, a plea of guilty to the information was entered on behalf of the defendant firm, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**S339. Adulteration and misbranding of Shur-pleez Feed. U. S. \* \* \* v. Ritter-Hennings Co., a Corporation. Plea of guilty. Fine, \$50.**  
(F. & D. No. 11600. I. S. No. 10709-r.)

On February 17, 1920, the United States attorney for the Western District of Kentucky, 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 Ritter-Hennings Co., a corporation, Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 30, 1918, from the State of Kentucky into the State of Indiana, of a quantity of Shur-pleez feed which was adulterated and misbranded. The article was labeled in part, "Super Quality Shur-pleez Trade Mark Feed, Louisville, Ky. Egg & Growing Mash Guaranteed Analysis Protein 23.85% Fat 6.07% Fiber 7.87% Made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, alfalfa meal."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.39 per cent of crude fiber, 20 per cent of protein, and 3.30 per cent of ether extract, or fat. Examination showed that it contained corn and wheat bran tissues, starch, alfalfa, muscle fiber, bone, corn gluten meal, and about 15 per cent of oat hulls and weed seeds.

Adulteration of the article was alleged in the information for the reason that screenings and weed seeds had been substituted in part for Super Quality feed, compounded as on the label set forth.

Misbranding was alleged for the reason that the statements on the label represented that the article contained not less than 6.07 per cent of fat, not less than 23.85 per cent of protein, and not more than 7.87 per cent of fiber, and was made from gluten meal, coarse bran, feed meal, middlings, beef scraps, ground bone meal, and alfalfa meal, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained a minimum proportion of fat and protein as aforesaid, and the maximum proportion of fiber as aforesaid, and was compounded as aforesaid, whereas it contained less than 6.07 per cent of fat, less than 23.85 per cent of protein, and more than 7.87 per cent of fiber, and was not so compounded, but contained screenings and weed seeds.

On March 9, 1920, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**S340. Adulteration and misbranding of flour. U. S. \* \* \* v. 287 Sacks of Flour. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 754. I. S. No. 5705-b. S. No. 279.)

On August 7, 1909, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, on November 19, 1919, an amended libel, and on December 27, 1919, a stipulation for further amendment of the libel, praying seizure and condemnation of 287 sacks of flour, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about August 10 [August 4], 1909, by the Waterloo and Cedar Falls Union Mill Co., Cedar Falls, Iowa, and was in the

course of transportation from the State of Iowa into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel and amendments thereto for the reason that said flour was mixed, colored, powdered, coated, and stained in a manner whereby damage and inferiority were concealed.

Misbranding was alleged in substance for the reason that the flour was branded "Waterloo and Cedar Falls Union Mill Company, Crystal patent, from hard wheat, Waterloo, Iowa," which said statement regarding the flour was false and misleading in that it represented that the flour was patent flour, whereas, in truth and in fact, it was not, but was a kind of flour known as straight flour; for the further reason that the label bore a statement which was false and misleading in that it thereby represented that the flour was made from hard wheat, whereas, in truth and in fact, it was not, but was made from a mixture consisting of more than one-half winter wheat, the balance being spring wheat; and for the further reason that the flour was in fact an imitation of, and was designed and offered for sale under the distinctive name of, patent flour, and was labeled and branded so as to deceive and mislead the purchaser thereof.

On May 18, 1912, an order was entered that 282 sacks of the flour be released, and that 5 sacks be retained in the custody of the court for jurisdictional purposes. On December 27, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered as to the 5 sacks remaining in custody, and it was ordered by the court that the product be destroyed by the United States marshal, and that the Waterloo and Cedar Falls Union Mill Co. should pay the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

**8341. Misbranding of Milks Emulsion. U. S. \* \* \* v. 17 Dozen Large-size Bottles and 17 Dozen Small-size Bottles of Milks Emulsion. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11399. I. S. Nos. 15154-r, 15155-r, S. No. E-1805.)**

On October 9, 1919, the United States attorney for the District of New Jersey, 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 a certain quantity of a certain article, labeled in part "Milks Emulsion," at Camden, N. J., alleging that the article had been shipped on or about July 26, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of New Jersey, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, with small amounts of sirup, glycerin, and methyl salicylate, and that it contained no fat.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing in the booklets accompanying, and on the label on the bottle containing the article, falsely and fraudulently represented the article to be effective as a remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, bronchial asthma, catarrhal croup, bronchitis, and tuberculosis of the lungs, whereas, in truth and in fact, it was not effective. Further misbranding was alleged in that the statement in the booklets regarding the article represented that the article contained a great amount of fat, whereas, in truth and in fact, it contained no fat. On December 18, 1919, the Milks Emulsion Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered,