

costs of the proceedings and the filing of a bond in the sum of \$1,000, in conformity with section 10 of the Food and Drugs Act, conditioned that the article be used in the manufacture of mixed feed under the direction and supervision of a representative of this department.

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

S379. Adulteration and misbranding of honey. U. S. * * * v. 12 Cases * * * of Queen Bee Honey. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 12595. I. S. No. 3425-r. S. No. W-600.)

On or about April 23, 1920, the United States attorney for the Western District of Washington, 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 12 cases of a product, labeled in part "Queen Bee Honey, packed by the California Honey Co., Portland, Oreg," remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the California Honey Co., Portland, Oreg., and transported from the State of Oregon into the State of Washington, arriving on or about October 6, 1919, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that commercial glucose had been mixed and packed with, and substituted wholly or in part for, the article, so as to reduce, lower, and injuriously affect its quality and strength. Adulteration was alleged for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the statement "Queen Bee Honey" was false and misleading and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 16, 1920, the Matchett & Macklem Co., claimant, having admitted the allegations contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be released to said claimant after payment of the costs of the proceedings and the execution of a bond in the sum of \$65, in conformity with section 10 of the act, conditioned that the article should be relabeled "Compound of Honey and Glucose," under the direction and supervision of a representative of this department.

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

S380. Adulteration and misbranding of cottonseed oil. U. S. * * * v. 5 Cases of Adulterated and Misbranded Cottonseed Oil. Default decree of condemnation and forfeiture. Goods ordered sold. (F. & D. No. 10003. I. S. No. 2364-r. S. No. W-293.)

On April 4, 1919, the United States attorney for the District of Oregon, 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 5 cases of cottonseed oil, at Portland, Oreg., alleging that the article had been shipped on or about July 2, 1918, by Meyer & Lange, New York, N. Y., and transported from the State of New York into the State of Oregon, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Umberto Albertini Brand."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of cottonseed oil.

Adulteration of the article was alleged in the libel in that in said product pure cottonseed oil had been substituted wholly for the compound of olive oil.

Misbranding of the article was alleged in that the label was so designed and devised as to lead the public to believe that the article was a compound of olive oil, whereas, in truth and in fact, it contained only cottonseed oil and no olive oil whatsoever. Further misbranding was alleged in that it was offered for sale under the distinctive name, a compound of olive oil, whereas, in truth and in fact, it contained only cottonseed oil.

On December 12, 1919, 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.

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

8381. Adulteration and misbranding of sauerkraut. U. S. * * * v. 285 Cases, More or Less, of Sauerkraut. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10080. I. S. No. 11370-r. S. No. C-1166.)

On May 6, 1919, the United States attorney for the Southern 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 285 cases of sauerkraut, at Columbus, Ohio, consigned on or about January 30, 1919, by the Scottsburg Canning Co., Scottsburg, Ind., alleging that the article was transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the average contents of the cans consisted of 23.4 ounces, or 70.1 per cent of drained kraut, and 10 ounces, or 29.9 per cent of liquor.

Adulteration of the article was alleged in the libel in that the article contained an average of 23.4 ounces of drained kraut, the balance being water, whereas it should have contained 28 ounces of drained kraut. Further adulteration was alleged in that the product had brine in excess of that contained in commercial sauerkraut, which had been mixed and packed with, and substituted wholly or in part for, the article.

Misbranding of the article was alleged in that the statement "Fancy Grade Sauerkraut," on the label on the article, was false and misleading and deceived and misled the purchaser by representing the product to be commercial sauerkraut, whereas it was sauerkraut and liquor in excess of the amount present in commercial sauerkraut.

On July 31, 1919, the Scottsburg Canning Co., claimant, having consented to the entry of a decree, judgment of condemnation, and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond in the sum of \$500, in conformity with section 10 of the act.

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

8382. Adulteration and misbranding of alleged gelatin. U. S. * * * v. 1 Drum Containing a Product Purporting to be Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10160. I. S. No. 11369-r. S. No. C-1202.)

On May 6, 1919, the United States attorney for the Southern 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