

deceived and misled the purchaser in that said cottonseed meal did not contain 43 per cent of protein, but contained only 38.79 per cent of protein.

On May 31, 1921, 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, but that it be not sold or disposed of in violation of law.

C. W. PUGSLEY,  
*Acting Secretary of Agriculture.*

**9410. Misbranding of Grapine. U. S. \* \* \* v. 1 Barrel of Grapine. Default decree of condemnation. Product ordered sold or destroyed.**  
(F. & D. No. 5317. I. S. No. 590-h. S. No. 1910.)

On August 21, 1913, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel for the seizure and condemnation of 1 barrel of Grapine, at Washington, D. C., alleging that the article had been shipped by the Wm. A. Beatty Co., Inc., Los Angeles, Calif., on May 28, 1913, and transported from the State of California into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Grapine—Soda Fountain Syrup Added color and flavor. Guaranteed by Wm. A. Beatty & Co. Los Angeles, Cal. Under the Pure Food and Drugs Act, June 30, 1906, Serial No. 38170."

It was alleged in substance in the libel that by means of certain labels upon the barrel containing the article, copies of which labels were attached to and made a part of the libel and marked "Exhibit A," and which bore the word "Grapine" and had displayed prominently thereon designs of clusters of grapes, the article purported to be a grape product, when, in truth and in fact, it was not a grape product. Misbranding was alleged in substance for the further reason that the article was labeled in a false and misleading manner so as to deceive and mislead the purchaser in that the said labels purported that the article was a concentrated grape sirup, when, in truth and fact, it was not a concentrated grape sirup, but was a product artificially flavored and colored so as to imitate and simulate grape sirup, and for the further reason that the said article was offered for sale in imitation of a long [used] and distinctive name of another article, to wit, grape sirup.

On October 10, 1913, the Wm. A. Beatty Co., Inc., Los Angeles, Calif., entered an appearance as claimant for the property. On March 17, 1921, the case having come on for final disposition and no appearance having been made on that date for said claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold or destroyed by the United States marshal.

C. W. PUGSLEY,  
*Acting Secretary of Agriculture.*

**9411. Adulteration and misbranding of Big G. U. S. \* \* \* v. 117 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 10637. I. S. No. 6815-r. S. No. C-1302.)

On June 24, 1919, the United States attorney for the Northern District of Texas, 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 117 bottles of an article of drugs labeled in part, "Big G \* \* \* Prepared by The Evans Chemical Co., Cincinnati, Ohio," remaining in the original packages at Fort Worth, Tex., consigned by the Evans