

10418. Adulteration of walnut meats. U. S. * * * v. 19 Cases and 15 Cases of * * * Walnut Meats. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15781, 15782. I. S. Nos. 11190-t, 11191-t. S. No. W-1055.)

On March 22, 1922, 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 34 cases of walnut meats, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by J. B. A. & Co., Los Angeles, Calif., February 24, 1922, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On April 12, 1922, Chester Thomas, partner and agent for Thomas Bros., and Henry Wessinger, director of the Henry Weinhard Estate, a corporation, both of Portland, Oreg., claimants, having admitted the allegations of the libel, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$400, in conformity with section 10 of the act, conditioned in part that the said product be sorted, the normal walnut meats to be separated from those which were decomposed and putrid, and that it be sold according to law.

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

10419. Adulteration and misbranding of cottonseed meal. U. S. * * * v. 1,500 Sacks of Alleged Cottonseed Meal, et al. Consent decrees providing for the release of the product. (F. & D. Nos. 15867, 15868, 15869, 15870. I. S. Nos. 9188-t, 9189-t, 9323-t, 9377-t, 9378-t, 9379-t. S. Nos. E-3714, E-3741, E-3742, E-3744.)

On or about January 4, 1922, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2,500 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Jacksonville and Tampa, Fla., respectively, consigned in part by the Central Oil Co. and in part by or by order of Black & Co., both of Macon, Ga., alleging that the article had been shipped from Macon, Ga., between the dates October 28 and November 25, 1921, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Tags on sacks) "100 Lbs. Cotton Seed Meal Manufactured by Central Oil Company, Macon, Georgia * * *."

Adulteration of the article was alleged in the libels for the reason that a substance deficient in ammonia or protein had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and had been substituted wholly or in part for the said article and for the further reason that the said article had been mixed and packed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article and for the further reason that the statements on the said tags, "Nitrogen 5.76 per cent" and "Ammonia not less than 7.00 per cent," regarding the article and the ingredients and substances contained therein, were false and misleading and deceived and misled the purchaser, since the said article contained considerably less than 5.76 per cent of nitrogen and 7.00 per cent of ammonia.

On January 19, 1922, the Central Oil Co., Macon, Ga., having entered an appearance as claimant for the property and it having appeared that the product had been sold for fertilizer purposes, subject to the entry of decrees permitting the same, judgments of the court were entered approving such sale and dismissing the proceedings and ordering the release of the product upon payment of the costs of the proceedings by said claimant.

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