

Pound Net Dairy Maid Brand Sweet Milk Chocolate Dainties Made By Brewster Sons Company Newark, N. J."

Adulteration of the article was alleged in the libel for the reason that excessive shells had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged in substance for the reason that the packages in which the article was inclosed bore the following statement, regarding the said article and the ingredients and substances contained therein, to wit, "Sweet Milk Chocolate Dainties," which said statement was false and misleading in that the said packages did not in fact contain sweet milk chocolate dainties.

On October 6, 1922, 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 destroyed by the United States marshal.

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

11027. Misbranding of cottonseed meal. U. S. v. 250 Sacks of Cottonseed Meal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15819. I. S. No. 9373-t. S. No. E-3827.)

On March 30, 1922, the United States attorney for the Northern District of Florida, 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 250 sacks of cottonseed meal, remaining in the original unbroken packages at River Junction, Fla., alleging that the article had been shipped by the Planters Oil Co., Albany, Ga., on or about February 20, 1922, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Guaranteed Analysis. Ammonia (Actual and potential) 7.00 per cent (Equivalent to Protein 36.00 per cent) Phosphoric Acid 2.00 per cent Potash (K₂O) 1.00 per cent Made from short staple cotton seed only."

It was alleged in substance in the libel that the article was transported in violation of the provisions of the Food and Drugs Act, in that the said sacks were labeled as follows, "100 lbs. Gross. 99 lbs. Net. Second Class Cotton Seed Meal Manufactured By Planters Oil Co. Albany, Georgia. Guaranteed," which said statements were false and misleading in that the said article did not contain the substances hereinbefore set forth as described in the labels, but was deficient in ammonia and contained peanut hulls and excessive quantities of fiber.

On July 10, 1922, 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 destroyed by the United States marshal.

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

11028. Adulteration of paprika. U. S. v. 49 Bags and 1 Bag of Paprika. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16121, 16122. I. S. No. 15958-t. S. No. E-3852.)

On April 24, 1922, the United States attorney for the Southern District of New York, 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 50 bags of paprika, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Penalva y Ca., from Orihuela, Spain, and was entered on or about March 14, 1922, having been transported from a foreign country into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was described in consular invoice as "Pimenton" and in the custom-house entry as "Ground Red Pepper."

Adulteration of the article was alleged in the libel for the reason that a substance, a fixed oil, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

On May 15, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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