

On May 22, 1922, W. J. Hunter, Shreveport, La., having entered an appearance as claimant for the 90 packages of Himalaya Darjeeling tea, judgment of condemnation was entered, and it was ordered by the court that the product be emptied from the cans containing the same and that it be delivered in bulk to the said claimant upon payment of the costs of the proceedings. On October 16, 1922, no claimant having appeared for the Orange Pekoe Ceylon tea, 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. W. PUGSLEY, *Acting Secretary of Agriculture.*

11143. Misbranding of cottonseed meal. U. S. v. Tallulah Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 16017. I. S. No. 2832-t.)

On May 22, 1922, the United States attorney for the Western District of Louisiana, 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 Tallulah Cotton Oil Co., a corporation, Tallulah, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 18, 1921, from the State of Louisiana into the State of Alabama, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: (Tag) "Talco Brand' Good Cotton Seed Meal * * * Manufactured by Tallulah Cotton Oil Co., Tallulah, La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 16.10 per cent of crude fiber and 33.94 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 36% * * * Fibre 12%," borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 36 per cent of protein and not more than 12 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 12 per cent of fiber, whereas, in truth and in fact, it did contain less than 36 per cent of protein, to wit, approximately 33.94 per cent of protein, and did contain more than 12 per cent of fiber, to wit, approximately 16.10 per cent of fiber.

On October 2, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

11144. Adulteration of canned peas. U. S. v. 1,999 Cases of Canned Peas. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16647. S. No. E-4064.)

On July 20, 1922, the United States attorney for the Eastern District of Pennsylvania, 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 1,999 cases of canned peas, remaining in the original unbroken packages at Philadelphia, Pa., consigned by Draper & Co., Milford, Del., alleging that the article had been shipped from Milford, Del., on or about July 7, 1922, and transported from the State of Delaware into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Early June Peas Packed by Draper & Co., Inc."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed with and substituted wholly or in part for the said article.

On October 30, 1922, Draper & Co., Inc., Milford, Del., having entered an appearance as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$8,000, in conformity with section 10 of the act, conditioned in part that it be relabeled under the supervision of this department.

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