

Adulteration of the article was alleged in the libel for the reason that a substance low in protein had been mixed and packed therewith so as to reduce and lower its quality and strength and had been substituted wholly or in part for said cottonseed meal.

Misbranding was alleged for the reason that the statement, "Crude Protein 43.00 per cent," appearing in the labeling, was false and misleading and deceived and misled the purchaser, since the said article did not contain 43 per cent of crude protein. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On January 2, 1924, the Mutual Cotton & Oil Co., claimant, having admitted the allegations of the libel and 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 said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$800, in conformity with section 10 of the act.

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

12003. Adulteration of blueberries. U. S. v. 110 Barrels of Blueberries. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17872. I. S. Nos. 2808-v, 2809-v. S. No. E-4512.)

On October 24, 1923, 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 praying the seizure and condemnation of 110 barrels of blueberries, at Philadelphia, Pa., consigned by the E. M. Frye Packing Co., Harrington, Me., alleging that the article had been shipped from Harrington, Me., on or about September 7 and 11, 1923, and transported from the State of Maine into the State of Pennsylvania, 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 filthy, decomposed, and putrid vegetable substance.

On November 28, 1923, E. M. Frye having appeared 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 \$7,500, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the bad portion under the supervision of this department.

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

12004. Adulteration of chestnuts. U. S. v. 6 Sacks of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18155. I. S. No. 2928-v. S. No. E-4639.)

On December 10, 1923, 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 praying the seizure and condemnation of 6 sacks of chestnuts, at Philadelphia, Pa., consigned by J. A. Thompson, Christiansburg, Va., alleging that the article had been shipped from Christiansburg, Va., on or about October 20, 1923, and transported from the State of Virginia into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "From Jno A. Thompson R No. 2 Floyd, Va."

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

On December 31, 1923, 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.*

12005. Adulteration of canned sardines. U. S. v. 24 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18144. I. S. No. 1998-v. S. No. E-4624.)

On December 7, 1923, 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 praying the seizure and condemnation of 24 cases of sardines, at Philadelphia, Pa., consigned by the E. W. Brown Co., Portland, Me., alleging that the article had