

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

been shipped from Portland, Me., on or about November 20, 1923, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Clyde American Sardines * * * In Mustard Sauce * * * Packed At South Portland, Cumberland Co. Me. By E. W. Brown Co."

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 animal 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.*

12006. Adulteration of chestnuts. U. S. v. 9 Sacks of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18154. I. S. No. 2927-v. S. No. E-4638.)

On December 12, 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 9 sacks of chestnuts, at Philadelphia, Pa., consigned by D. J. Powell, Vesuvius, Va., alleging that the article had been shipped from Vesuvius, Va., on or about October 19, 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: "D. J. Powell Montebello Va. Exp. Vesuvius, Va. Net 75#."

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.*

12007. Adulteration and misbranding of vinegar. U. S. v. 34 Barrels of Vinegar. Decree ordering release of product under bond. (F. & D. No. 17855. I. S. Nos. 6947-v, 6950-v. S. No. C-4128.)

On October 11, 1923, the United States attorney for the Eastern 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 praying the seizure and condemnation of 34 barrels of vinegar, at Gainesville, Tex., alleging that the article had been shipped by Russell Jobbers Mills, from Oklahoma City, Okla., in part on or about May 1 and in part on or about August 19, 1923, and transported from the State of Oklahoma into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Special Apple Vinegar Reduced To 4% Acetic Strength * * * Texas."

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

Misbranding was alleged for the reason that the statement, "Apple Vinegar Reduced To 4% Acetic Strength," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On December 24, 1923, the Russell Products Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment of the court was entered ordering 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 \$200, in conformity with section 10 of the act.

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

12008. Misbranding of crackers and gingersnaps. U. S. v. 3 Cases, et al., of Crackers and 3 Cases of Gingersnaps. Default decrees of condemnation and forfeiture. Products delivered to a charitable institution. (F. & D. No. 17751. I. S. Nos. 11568-v, 11569-v, 11570-v. S. Nos. W-1408, W-1409, W-1410.)

On August 30, 1923, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 3 cases of crackers, 32 boxes of crackers, and 3 cases of gingersnaps, at Reno, Nev., alleging that the articles had been shipped by