

the District Court of the United States for said district a libel praying the seizure and condemnation of 320 sacks of cottonseed meal, at Arkville, N. Y., alleging that the article had been shipped by the Ashcraft-Wilkinson Co., Wilson, N. C., on or about October 31, 1924, and transported from the State of North Carolina into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "100 lbs. * * * Cotton Seed Meal * * * Protein * * * 36.00 %."

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

Misbranding was alleged for the reason that the statement "Protein 36.00 %," appearing in the labeling, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was sold under the distinctive name of another article.

On May 6, 1925, the Ashcraft-Wilkinson Co., Atlanta, Ga., having appeared as claimant for the property and having 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it not be sold or shipped until rebranded "Cotton Seed Feed Ashcraft-Wilkinson Co., Atlanta, Ga., Guaranteed Analysis Protein (minimum) 33.00%, Ammonia (minimum) 6.45%, Crude Fiber (maximum) 16.50% Ingredients: Made from Upland Cottonseed."

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

13384. Adulteration of tomato puree. U. S. v. 1,100 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20033. I. S. No. 13830-v. S. No. E-5268.)

On April 23, 1925, 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 a libel praying the seizure and condemnation of 1,100 cases of tomato puree, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Wm. Silver & Co., from Aberdeen, Md., on or about October 20, 1924, and transported from the State of Maryland into the State of New York, 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 part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1925, 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.*

13385. Adulteration of tomato paste. U. S. v. 124 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20034. I. S. No. 13813-v. S. No. E-5303.)

On April 22, 1925, 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 a libel praying the seizure and condemnation of 124 cases of tomato paste, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by William Silver & Co. (Inc.), from Aberdeen, Md., on or about December 30, 1924, and transported from the State of Maryland into the State of New York, 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 part of a filthy, decomposed, and putrid vegetable substance.

On May 16, 1925, 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.*