

On June 8, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$150.

W. M. JARDINE, *Secretary of Agriculture.*

14685. Misbranding of linseed oil meal. U. S. v. 225 Sacks, et al., of Linseed Oil Meal. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 21122, 21123. I. S. No. 11854-x. S. No. E-5738.)

On June 11, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 270 sacks of linseed oil meal, remaining in the original unbroken packages in part at Taneytown, Md., and in part at Union Bridge, Md., alleging that the article had been shipped by S. F. Scattergood & Co., from Philadelphia, Pa., on or about April 20, 1926, and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "John T. Lewis & Bros. Co. 34% Linseed Oil Meal Protein 34% * * * Philadelphia, Penna."

Misbranding of the article was alleged in the libels for the reason that the label bore the statements "34% Linseed Oil Meal Protein 34%," regarding the article or the ingredients or substances contained therein, which were false and misleading and deceived and misled the purchaser.

On July 23 and August 6, 1926, respectively, the John T. Lewis & Bros. Co., Philadelphia, Pa., having appeared as claimant for the property, judgments of condemnation and forfeiture were 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 good and sufficient bonds, conditioned that it not be sold or disposed of until labeled to show its contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14686. Misbranding of butter. U. S. v. 80 Cases, et al., of Butter. Product released under bond. (F. & D. Nos. 18984, 19029, 19033. I. S. Nos. 18535-v, 18536-v, 18537-v. S. Nos. C-4481, C-4483, C-4485.)

On September 3, 1924, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 80 cases and 461 pounds of butter, at El Paso, Tex., alleging that the article had been shipped by the Estancia Dairy Co., from Estancia, N. Mex., in various consignments, on or about August 14, 29, and 30, 1926, respectively, and transported from the State of New Mexico into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Retail package) "Jersey Cream Brand Pasteurized Butter Estancia Dairy Co. Estancia, N. M. One Pound Net Weight."

Misbranding of the article was alleged in the libels for the reason that the statements on the labels of the said retail packages were false and misleading and were calculated to deceive and mislead the purchaser as to the actual net weight of the contents of the packages, in that the net weight was less than 1 pound.

On September 24, 1924, the Estancia Dairy, Estancia, N. Mex., having appeared as claimant for the property and the cases having been consolidated into one cause of action, a decree was entered, ordering the product released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, conditioned in part that it be repacked so that the packages would contain the declared weight.

W. M. JARDINE, *Secretary of Agriculture.*

14687. Adulteration and misbranding of ether. U. S. v. 50 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21044. I. S. No. 1579-x. S. No. C-5082.)

On June 4, 1926, the United States attorney for the Southern 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 seizure and condemnation of fifty 1-pound cans of ether, remaining in the original unbroken packages at Houston, Tex., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., January 7, 1926, and

transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Mallinckrodt One Pound Ether For Anesthesia, * * * a superior article in every respect, unsurpassed in chemical purity."

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it contained peroxide.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized by the U. S. Pharmacopœia and differed from the standard of quality and purity as prescribed in said pharmacopœia, and its own standard was not stated upon the labels, and in that the purity of the said article fell below the professed standard of quality under which it was sold.

Misbranding was alleged for the reason that the statements on the labels of the cans containing the article, namely, "Ether for Anesthesia * * * a superior article in every respect, unsurpassed in chemical purity," were false and misleading.

On October 13, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14688. Adulteration of tomato paste. U. S. v. 74 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20471. I. S. No. 7038-x. S. No. E-5512.)

On October 7, 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 seizure and condemnation of 74 cases of concentrated tomato paste, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Cribari & Sons, from Hazlet, N. J., on or about September 23, 1925, and transported from the State of New Jersey 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 October 13, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14689. Adulteration of chopped apples. U. S. v. 687 Bags of Chopped Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21227. I. S. No. 4291-x. S. No. C-5201.)

On August 11, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 687 bags of chopped apples, consigned by the Standard Apple Products, Inc., of Rochester, N. Y., alleging that the article had been shipped from Dupon, Ill., in part July 26 and in part July 31, 1926, and transported from the State of Illinois into the State of Missouri, 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, or putrid vegetable substance.

On October 11, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14690. Misbranding of cottonseed cake. U. S. v. 85 Sacks of Cottonseed Cake. Decree of forfeiture entered. Product released under bond. (F. & D. No. 20931. I. S. No. 432-x. S. No. W-1917.)

On March 17, 1926, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 85 sacks of cottonseed cake, remaining in the original unbroken packages at Pueblo, Colo., consigned by the Coleman Cotton Oil Mill, Coleman, Tex., alleging that the article had been shipped from Coleman, Tex., on or about October 23,