

On October 10, 1927, W. A. Higgins & Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel 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 \$2,000, conditioned in part that it be labeled, "Not for Human Consumption," and should not be used for human consumption or for purposes other than distillation of alcohol, manufacture of tobacco, and hog feed.

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

**15627. Adulteration and misbranding of olive oil. U. S. v. 32 Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 22604. I. S. No. 23403-x. S. No. 587.)**

On March 5, 1928, 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 seizure and condemnation of 32 cans of olive oil, remaining in the original unbroken packages at Beaumont, Texas, alleging that the article had been consigned from Paul Gallo, New Orleans, La., October 21, 1927, and transported from the State of Louisiana into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that cottonseed oil had been mixed and packed with and substituted in whole or in part for a genuine article designated as olive oil.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 3, 1928, 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.*

**15628. Adulteration and misbranding of cottonseed meal. U. S. v. 200 Bags of Cottonseed Meal. Decree of condemnation and forfeiture entered. Product released under bond. (F. & D. No. 22350. I. S. No. 18505-x. S. No. 403.)**

On January 4, 1928, the United States attorney for the District of Massachusetts, 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 200 bags of cottonseed meal, remaining in the original unbroken packages at North Adams, Mass., consigned about October 3, 1927, alleging that the article had been shipped by the Planters Oil Co., Albany, Ga., and had been transported in interstate commerce from Albany, Ga., into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that it contained a substance deficient in protein, which had been substituted in part for the said article and had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding was alleged for the reason that the statement, "Choice-Prime \* \* \* Cottonseed Meal Guaranteed Analysis Min. Protein 41.12%," was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On February 29, 1928, the Humphreys-Godwin Co., Inc., Memphis, Tenn., having appeared as claimant for the property and having admitted the allegations of the libel, 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, conditioned in part that it be relabeled under the supervision of this department.

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

**15629. Adulteration and misbranding of butter. U. S. v. 9 Tubs, et al., of Butter. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 22511, 22512, 22602, 22603. I. S. Nos. 21884-x, 21887-x, 21906-x, 21909-x. S. Nos. 535, 564, 568, 594.)**

On February 6, 9, 14, and 17, 1928, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary