nation of 630 sacks of alfalfa meal and 400 sacks of alfalfa stem meal at Houston, Tex., alleging that the articles had been shipped by the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., in part on or about September 1, 1928, and in part on or about September 10, 1928, 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 articles were labeled in part: (Texas State tag) "100 Lbs. (Net) Alfalfa Meal Manufactured by Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico. * * * Crude Protein not less than 13.00 per cent." The articles further bore mill tags, a portion of which were labeled, "Alfalfa Meal—Extracted 100 Lbs. Net Pecos Valley Alfalfa Mill Company, Hagerman, N. Mexico * * *. Crude Protein not less than 10.0 Per cent * * *. Made from alfalfa after extracting a portion of the finely pulverized product," and the remainder of which were labeled, "Alfalfa Stem Meal 100 Lbs. Net. Made by Pecos Valley Alfalfa Mill Co., Hagerman, N. Mexico * * *. Crude Protein not less than 10.0 Per cent. Made from alfalfa after extracting a portion of the finely pulverized product."

It was alleged in the libel that the articles were short in weight and misbranded in violation of section 8 of the act and in violation of sections (paragraphs) 2 and 4, in that they were in whole or in part branded so as to falsely represent their contents and to mislead and deceive the purchaser.

On October 26, 1928, the Dixon Grain Co., Houston, Tex., entered an appearance as claimant for the property, admitting that a portion of the product had been tagged as alfalfa stem meal and the remainder as alfalfa meal, that it was all alfalfa stem meal, that a portion of the sacks were short weight, that the product had been relabeled. "alfalfa stem meal," and the sacks repacked, where necessary, so that each sack contained 100 pounds net of the article. Said claimant having paid costs and tendered a bond in the sum of $500, conditioned that the article should not be sold or otherwise disposed of contrary to law, it was ordered by the court that the product be delivered to the claimant.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16296. Misbranding of tomato catsup. U. S. v. 188 Cases, et al., of Tomato Catsup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23346. I. S. Nos. 012103, 012105. S. No. 1482.)

On or about January 26, 1929, the United States attorney for the Middle District of Tennessee, 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 188 cases, 14-ounce size bottles, and 300 cases, 8-ounce size bottles, of tomato catsup, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Mid-West Food Packers (Inc.), Fowlerton, Ind., on or about September 25, 1928. and transported from the State of Indiana into the State of Tennessee, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottles) "Mid-West Brand Tomato Catsup * * * Highest Quality Made by Mid-West Food Packers, Inc., Fowlerton, Ind. This catsup guaranteed to be absolutely pure. No preservative or artificial coloring."

It was alleged in the libel that the article was misbranded in that the statements on the bottle labels, "This catsup guaranteed to be absolutely pure" and "No artificial coloring," were false and misleading and deceived and misled the purchasers.

On or about February 27, 1929, the Phillips-Trawick Co., Nashville, 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 costs and the execution of a bond in the sum of $500 conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16297. Misbranding of tomato catsup. U. S. v. 262 Cases of Tomato Catsup. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22972. I. S. Nos. 02089 to 02093, incl. S. No. 1057.)

On August 14, 1928, the United States attorney for the Eastern District of Wisconsin, 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 262 cases of tomato catsup, remaining in the original un-