

Noodles," used in connection with, and as a part of, a picture or design representing or purporting to represent a home kitchen, whereas, in truth and in fact, the article was not home made, but was manufactured in a factory.

On March 12, 1921, the S. R. Smith Co. having entered its appearance as claimant for the property, but having filed no answer to the libel, a decree of condemnation was entered adjudging the product to be adulterated and misbranded as charged in said libel, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9241. Misbranding of cottonseed meal. U. S. * * * v. Union Seed & Fertilizer Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8976. I. S. No. 19933-m.)

On November 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., a corporation, having a place of business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 4, 1917, from the State of Arkansas into the State of Minnesota, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Beauty Brand Cottonseed Meal and Cracked Screened Cake * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained more crude fiber and less ammonia and protein than declared on the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Analysis: Ammonia 7 Per Cent, Protein 36 Per Cent * * * Crude Fibre 12 Per Cent," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less ammonia and protein and more crude fiber than declared, to wit, approximately 6.54 per cent of ammonia, 33.6 per cent of protein, and 16.6 per cent of crude fiber.

On March 21, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

9242. Adulteration and misbranding of glycerin. U. S. * * * v. 4 Drums of * * * Glycerin. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 9296. I. S. No. 13662-r. S. No. E-1110.)

On September 9, 1918, 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 of information, and on November 27, 1918, an amendment thereto, against 4 drums of glycerin, consigned on or about July 15, 1918, remaining in the original unbroken packages at Lynn, Mass., alleging that the article had been shipped by H. A. Forbes & Co., New York, N. Y., and transported from the State of New York into the

State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in substance in the libel that the product was a drug and that it was adulterated in violation of the so-called Food and Drugs Act in that it consisted in part of commercial glucose and added water.

Misbranding was alleged in substance for the reason that the article was an imitation of, and was offered for sale under the name of, another article, to wit, glycerin, whereas, in truth and in fact, it was not glycerin.

On September 30, 1918, Harold A. Forbes, trading as H. J. Forbes & Co., New York, N. Y., filed a claim for the product, and on June 3, 1920, entered a stipulation agreeing that the product might be condemned unless said claimant should file a bond within 60 days from the date of such stipulation. On January 31, 1921, the claimant having failed to file such bond, judgment by default was entered, and it was ordered by the court that the product be condemned and forfeited to the United States, and it was further ordered that it be sold at public auction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9243. Adulteration of ginger ale and root beer. U. S. * * * v. 224 Cases * * * of Ginger Ale and 202 Cases * * * of Root Beer. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14125. I. S. Nos. 4140-t, 4141-t. S. No. C-2650.)

On December 30, 1920, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 224 cases, each containing 12 bottles, more or less, of ginger ale, and 202 cases, each containing 12 bottles, more or less, of root beer, at Chicago, Ill., alleging that the article had been shipped by the Almanaris Mineral Spring Co., Waukesha, Wis., on August 14, 1920, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part, "Montclair Brand Waukesha Ginger Ale" (or "Root Beer").

Adulteration of the articles was alleged in the libel for the reason that a substance, to wit, saccharin, had been mixed and packed with said articles so as to lower, reduce, and injuriously affect their quality and strength, for the further reason that saccharin had been mixed and packed therewith in a manner whereby damage and inferiority were concealed, and for the further reason that the articles contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render them injurious to health.

On January 14, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9244. Misbranding of Castalian natural mineral water. U. S. * * * v. 10½ Dozen Bottles of * * * Castalian Natural Mineral Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14127. I. S. No. 6475-t. S. No. E-3024.)

On January 3, 1921, 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 for the seizure and condemnation of 10½ dozen bottles of Castalian natural mineral water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by J. P. Forbes & Co., Santa Cruz,