

of the Perfecto brand and the Suwanee brand, together with the statements, to wit, "Containing Alfalfa, Cottonseed Meal, Oat Feed (Oat Hulls, Oat Middlings, Oat Shorts), Cane Molasses, Oats, Rice Bran, Salt, Corn," with respect to a portion of the Perfecto brand, and the statements, to wit, "Containing Alfalfa, Corn, Oats, Rice Bran, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Cottonseed Meal, Molasses, Salt," with respect to the remainder of the Perfecto brand, and the statement, to wit, "Containing Corn, Oats, Alfalfa, Cottonseed Meal, Oat Feed, (Oat Hulls, Oat Middlings, Oat Shorts), Rice Bran, Molasses, Salt," with respect to the said Suwanee brand, borne on the tags attached to the sacks containing the article, regarding the said article and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the article contained not less than 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, 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 9 per cent of protein, that, with the exception of one consignment, it contained not more than 15 per cent of fiber, and that it was composed of the ingredients named on the said labels, whereas, in truth and in fact, it contained less than 9 per cent of protein, it contained more than 15 per cent of fiber, with the exception of one consignment, and it was not composed of the ingredients named on the said labels, but a portion of the said article was composed in part of peanut hulls, a portion of the said article was composed of peanut hulls and rice hulls, and a portion of the article contained no cottonseed meal.

On December 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

11052. Misbranding of Edgerton's salt brick. U. S. v. 2,550 Packages of Edgerton's Salt Brick. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14866. I. S. No. 3978-t. S. No. C-2886.)

On May 21, 1921, the United States attorney for the Western 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 for the seizure and condemnation of 2,550 packages of Edgerton's salt brick, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Edgerton Salt Brick Co., Goldsboro, N. C., on or about August 31, 1918, and transported from the State of North Carolina into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted largely of sodium chlorid, with smaller amounts of calcium sulphate, iron sulphate, magnesia, sulphur, nux vomica, and a trace of a nitrate.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing on the package containing the said article, to wit, "Prevents Hog Cholera," regarding the curative and therapeutic effects of the said article, was false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On June 30, 1921, 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.*

11053. Adulteration and misbranding of dairy feed. U. S. v. Nutriline Milling Co., Ltd., a Corporation. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 15258. I. S. No. 12780-t.)

On September 26, 1921, the United States attorney for the Western District of Louisiana, 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 Nutriline Milling Co., Ltd., a corporation, Crowley, La., alleging shipment by said company in violation of the Food and Drugs Act, on or about November 5, 1920, from the State of Louisiana into the State of Texas, of a quantity of

dairy feed which was adulterated and misbranded. The article was labeled in part: "100 Pounds (Net) Special Steam Cooked 'Momyk' Dairy Feed * * * Manufactured By Nutriline Milling Company Crowley, La."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 10.09 per cent of protein. Examination by said bureau showed that the article contained alfalfa, rice bran, a little cottonseed meal, and some coarsely-ground peanut shells.

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

Misbranding was alleged in substance for the reason that the statements, to wit, " * * * Composed of Rice Bran, Ordinary Cottonseed Meal, Alfalfa Meal 30%, Molasses, and Salt $\frac{1}{2}$ % * * * Guaranteed Analysis: Crude Protein not less than 12.00 Per Cent * * *," borne on the sacks containing the article, regarding the said article and the substances and ingredients contained therein, were false and misleading in that it was not composed wholly of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, but contained added peanut shells, and it did not contain 12 per cent of protein, but contained a less amount, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was composed of rice bran, ordinary cottonseed meal, alfalfa meal, molasses, and salt, and that it contained 12 per cent of protein, whereas, in truth and in fact, it contained less than 12 per cent of protein and contained added peanut shells.

On February 3, 1922, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250 and costs.

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

11054. Misbranding of pears. U. S. v. 576 Boxes of Pears. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 15348. I. S. No. 5988-t. S. No. E-3563.)

On August 25, 1921, the United States attorney for the Western 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 576 boxes of pears, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Cohen, Mann & Kahn, Palmdale, Calif., August 11, 1921, and transported from the State of California into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Liberty Brand * * * Bartlett Pears * * * Grown at Little Rock California Cohen, Mann & Kahn * * * Chicago * * *." A portion of the said boxes bore the statement, "Net Contents not less than 45 Lbs."

Examination of the article by the Bureau of Chemistry of this department showed that a portion of the said boxes bore no statement as to the net contents and that the remainder contained less than the amount declared on the labeling.

Misbranding of the article was alleged in the libel for the reason that the following statement appearing on the boxes containing the said article, to wit, "Net Contents not less than 45 Lbs.," was false and misleading, and for the further reason that the article was [food] in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 30, 1921, Cohen, Mann & Kahn, Chicago, Ill., claimants, 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 claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

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

11055. Adulteration of oranges. U. S. v. 396 Boxes and 341 Boxes of Oranges. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 15826, 16094. I. S. Nos. 1804-t, 1807-t, 1808-t. S. Nos. C-3468, C-3506.)

On March 14 and April 1, 1922, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels