

contained not less than 43 per cent of protein, whereas it contained a much less amount than 43 per cent of protein.

On March 25, 1925, the Choctaw Cotton Oil Co., Kansas City, Mo., having appeared as claimant for the property, 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 \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled to show its true contents.

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

13495. Adulteration and misbranding of gray shorts and screenings. U. S. v. 60 Sacks of Gray Shorts and Screenings. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19571. I. S. No. 22713-v. S. No. C-4643.)

On or about February 19, 1925, 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 a libel praying the seizure and condemnation of 60 sacks of gray shorts and screenings, remaining in the original unbroken packages at Monroe, La., alleging that the article had been shipped by J. F. Weinmann Milling Co., from Little Rock, Ark., on or about January 19, 1925, and transported from the State of Arkansas into the State of Louisiana, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Wheat Gray Shorts and Screenings."

Adulteration of the article was alleged in the libel for the reason that an added substance, to wit, brown shorts, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Wheat Gray Shorts," printed on the sacks containing the article, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article.

On April 9, 1925, the Southern Grocer Co. (Ltd.), Monroe, La., having appeared as claimant for the property, 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 \$100, in conformity with section 10 of the act, conditioned in part that it be properly relabeled in accordance with law.

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

13496. Misbranding of wheat gray shorts and screenings. U. S. v. 400 Sacks of Wheat Gray Shorts and Screenings. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20031. I. S. No. 22001-v. S. No. C-4437.)

On July 11, 1924, the United States attorney for the District of Kansas, acting upon a report by an official of the State of Kansas, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 400 sacks of wheat gray shorts and screenings, remaining in the original unbroken packages at Kansas City, Kans., alleging that the article had been shipped by B. C. Christopher & Co., Kansas City, Mo., on or about July 3, 1924, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the food and drugs act.

Misbranding of the article was alleged in substance in the libel for the reason that the tags on the sacks containing the article stated that the contents thereof was wheat gray shorts and screenings, whereas the said article was not wheat gray shorts, in that a necessary ingredient had been abstracted in the process of manufacture, creating an article in imitation of and offered for sale under the distinctive name of another article, so as to deceive and mislead the purchaser thereof.

On July 25, 1924, B. C. Christopher & Co., Kansas City, Mo., having appeared as claimant for the property 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 \$500, in conformity with section 10 of the act, conditioned in part that it be relabeled to show its true contents.

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