

**13762. Misbranding of cottonseed meal. U. S. v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18926. I. S. No. 2387-v. S. No. E-4927.)**

On August 24, 1924, 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 praying the seizure and condemnation of 500 sacks of cottonseed meal, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped from Blue Island, Ill., August 1, 1924, and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Chickasha Cotton Oil Co. Manufacturers Of Cotton Seed Products \* \* \* 'Chickasha Prime' Cottonseed Cake or Meal (Composed of Cotton Seed only) Guaranteed Analysis: Protein not less than 43 per cent."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis: Protein not less than 43 per cent," borne on the label, was false and misleading and deceived and misled the purchaser.

On or about September 20, 1924, the Chickasha Cotton Oil Co., Chickasha, Okla., 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 \$250, in conformity with section 10 of the act, said decree providing further that if the product be relabeled so as to be sold the sacks be relabeled as containing 41 per cent of protein.

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

**13763. Misbranding and alleged adulteration of canned oysters. U. S. v. 24 Cases of Oysters. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17475. I. S. No. 2117-v. S. No. E-4369.)**

On April 24, 1923, 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 praying the seizure and condemnation of 24 cases, each containing 48 cans of oysters, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by the St. Michaels Packing Co., St. Michaels, Md., March 16, 1923, and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Can) "Sure-Go Brand Cove Oysters Packed By The St. Michaels Packing Co. St. Michaels, Md. Contents Weigh 5 Oz."

Adulteration of the article was alleged in the libel for the reason that excessive brine had been mixed and packed with and substituted wholly or in part for oysters.

Misbranding was alleged for the reason that the statement "Cove Oysters \* \* \* Contents Weigh 5 Oz." together with a design showing an oyster on half shell, borne on the labels, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 15, 1923, the St. Michaels Packing Co., St. Michaels, Md., having appeared as claimant for the property, a decree of the court was entered, adjudging the product to be misbranded and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, said bond providing that the product not be disposed of contrary to law, and that if relabeled such relabeling be done under the supervision of this department.

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

**13764. Misbranding of Euca-Mul. U. S. v. 5 Gross Bottles of Euca-Mul. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14161. I. S. No. 10413-t. S. No. W-830.)**

On January 20, 1921, the United States attorney for the District of Arizona, 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 condemna-