

Maximum 10.00 Manufactured By Mississippi Elevator Co., Memphis, Tenn." Three shipments were labeled in part: "Breeze H. & M. Feed Manufactured By Mississippi Elevator Co. Memphis, Tennessee Composed Of Cracked Corn, Oats, Oat Feed (oat middlings, oat dust and oat hulls), Alfalfa Meal, Molasses, and $\frac{1}{2}$ of 1% salt. Guaranteed Analysis: Protein minimum 9.00."

Analysis by the Bureau of Chemistry of this department of a sample of the Prize dairy feed showed that it contained 21.8 per cent protein, 4.50 per cent fat and 11.39 per cent crude fiber. Analysis of a sample of the Breeze H. & M. feed from each of the shipments showed that they contained 8.02 per cent, 7.55 per cent, and 7.53 per cent protein.

Adulteration of the Prize dairy feed was alleged in the information for the reason that a feed deficient in protein and fat and containing excessive fiber had been substituted for the article.

Adulteration of the Breeze H. & M. feed was alleged for the reason that a feed deficient in protein, in that it contained less than 9 per cent of protein, had been substituted for a feed guaranteed to contain 9 per cent of protein, which the said article purported to be.

Misbranding of the Prize dairy feed was alleged for the reason that the statements, to wit, "Composed Of Cotton Seed Meal, Corn Meal, Wheat Bran, Wheat Shorts, Corn Bran, Corn Hearts, Gluten Feed, Alfalfa Meal, and not over 1% salt," and "Guaranteed Analysis: Protein Minimum 24.00 Fat Minimum 5.00 * * * Fiber Maximum 10.00," borne on the tag attached to the sack containing the article, were false and misleading, in that the said statements represented that the article was composed only of and contained all of the above-named ingredients, and contained a minimum of 24 per cent of protein and 5 per cent of fat and a maximum of not more than 10 per cent of fiber, 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 only of and contained all of the above-named ingredients, and contained not less than 24 per cent of protein and not less than 5 per cent of fat and not more than 10 per cent of fiber, whereas the said article did not contain wheat bran, alfalfa meal, and corn meal, it contained only a trace of corn hearts, it contained undeclared ingredients, to wit, corn feed meal, alfalfa stems and flax plant waste, and contained less than 24 per cent of protein, less than 5 per cent of fat, and more than 10 per cent of fiber.

Misbranding of the said Breeze H. & M. feed was alleged for the reason that the statements, to wit, "Composed Of * * * Alfalfa Meal" and "Guaranteed Analysis: Protein minimum 9.00," borne on the tags attached to the sacks containing the article, were false and misleading, in that the said statements represented that the article contained a substantial quantity of alfalfa meal and contained 9 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained a substantial quantity of alfalfa meal and contained 9 per cent of protein, whereas it did not contain a substantial quantity of alfalfa meal but one lot of the product contained no alfalfa meal, a second lot contained a mere trace of alfalfa meal, and a third lot contained a small amount of very stemmy alfalfa, and the said article did not contain 9 per cent of protein but did contain a less amount.

On November 26, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$80.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

4069. Misbranding of coffee. U. S. v. J. A. Folger & Co. Plea of guilty. Fine, \$100. (F. & D. No. 19684. I. S. Nos. 12164-v, 12166-v, 12169-v, 12171-v, 12172-v, 20512-v, 20513-v, 20514-v, 20516-v, 20525-v, 20526-v, 20531-v, 20532-v, 20533-v.)

On November 18, 1925, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. A. Folger & Co., a corporation, San Francisco, Calif., alleging shipment by said company, in various consignments, between the dates of March 29, 1924, and February 28, 1925, from the State of California in part into the State of Washington, in part into the State of Idaho, and in part into the Territory of Alaska, of quantities of coffee which was misbranded in violation of the food and drugs act as amended. The articles were labeled: "Folger's Golden Gate Coffee 2½ Pounds Net Weight" (or "Two Pounds Net Weight" or "Five Pounds Net Weight") "J. A. Folger & Co. Kansas City San Francisco," and "Shasta Steel Cut Coffee Five Pounds Net Weight" (or "One Pound Net Weight") "J. A. Folger & Co. Kansas City San Francisco."

Misbranding of the article was alleged in substance in the information for the reason that the statements, "2½ Pounds Net Weight," "Five Pounds Net Weight," "One Pound Net Weight," or "Two Pounds Net Weight," borne on the various sized cans containing the said article, were false and misleading, in that the said statements represented that the cans contained 2½ pounds, 5 pounds, 1 pound, or 2 pounds, as the case might be, of coffee, and for the further reason that the statements were labeled on the cans as aforesaid so as to deceive and mislead the purchaser into the belief that the cans contained 2½ pounds, 5 pounds, 1 pound, or 2 pounds, as the case might be, of coffee, whereas the said cans did not contain the amount declared on the label but did contain a less amount. Misbranding was alleged 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 said packages.

On December 30, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14070. Adulteration of canned cut string beans. U. S. v. 75 Cases, et al., of Cut String Beans. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20722, 20737. I. S. Nos. 3885-x, 3886-x, 9543-x. S. Nos. C-4909, C-4917.)

On or about December 21 and 29, 1925, respectively, the United States attorney for the Western District of Texas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 318 cases of canned cut string beans, remaining in the original unbroken packages at San Marcos, Tex., alleging that the article had been shipped by Appleby Bros., in various consignments, namely, on or about August 5, 1925, from Fayetteville, Ark., and on or about September 23, 1925, from West Fork, Ark., and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Case) "Western Star Brand Cut String Beans Put Up By Appleby Bros. Fayetteville, Ark."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On or about January 28, 1926, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14071. Adulteration of frozen eggs. U. S. v. 465 Cans of Frozen Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20770. I. S. Nos. 5776-x, 5777-x, 5779-x, 5780-x, 5781-x. S. No. B-5612.)

On January 15, 1926, 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 465 cans of frozen eggs, remaining in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped by Cappel, Garrard Co., from Peoria, Ill., between the dates of June 9 and July 13, 1925, and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Creve Coeur Brand Frozen Whole Eggs 30 Lbs. Net Weight Cappel, Garrard Co."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 1, 1926, the Cappel, Garrard Co., Peoria, Ill., 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 delivered 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 the said product be salvaged under the supervision of this department and the good portion released.

R. W. DUNLAP, *Acting Secretary of Agriculture.*