

Lutz & Schramm Co. Pittsburgh, Pa. U. S. A." The remainder of the said articles were labeled in part: "Quakerlade Brand Fruit Pectin And * * * Jelly * * * Lutz & Schramm Co. Pittsburgh, Pa." and "Apple," "Raspberry," "Blackberry," "Grape," "Strawberry," or "Currant," as the case might be.

Adulteration of the Lusco brand jellies was alleged in the libel for the reason that substances, glucose pectin fruit preserve, with added phosphoric acid, had been mixed and packed therewith so as to reduce, lower and injuriously affect their quality and strength and had been substituted wholly or in part for the articles.

Adulteration of the Quakerlade brand jellies was alleged for the reason that substances, pectin jellies with added tartaric acid, had been mixed and packed therewith so as to reduce, lower and injuriously affect their quality and strength and had been substituted wholly or in part for the said articles.

Misbranding was alleged for the reason that the statements "Apple And Red Raspberry Preserves," and "Apple And Strawberry Preserves," with respect to the said Lusco brand jellies, and the statements "Fruit Pectin And * * * Jelly," ("Apple," "Raspberry," "Blackberry," "Grape," or "Currant," as the case might be), with respect to the Quakerlade brand jellies, were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the articles were offered for sale under the distinctive names of other articles.

On March 10, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14438. Adulteration and misbranding of cottonseed meal and cottonseed feed. U. S. v. Farmers Cotton Oil Co. Plea of guilty. Fine, \$100.
(F. & D. No. 19697. I. S. Nos. 9020-v, 13495-v.)

On December 9, 1925, the United States attorney for the Eastern District of North Carolina, 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 Farmers Cotton Oil Co., a corporation, Wilson, N. C., alleging shipment by said company, in violation of the food and drugs act, on or about October 22, 1924, from the State of North Carolina into the State of New York, of a quantity of cottonseed meal, and on or about October 25, 1924, from the State of North Carolina into the State of Massachusetts, of a quantity of cottonseed feed which articles were adulterated and misbranded. The said articles were labeled in part, respectively: "Paramount Brand * * * Good Cotton Seed Meal" and "Danish Brand Cotton Seed Feed."

Analysis by the Bureau of Chemistry of this department of a sample of the cottonseed meal showed that it contained 33.44 per cent protein, 6.51 per cent ammonia, and 16.19 per cent crude fiber; analysis of a sample of the cottonseed feed showed that it contained 34.25 per cent protein, 5.48 per cent nitrogen, and 15.89 per cent crude fiber.

Adulteration of the products was alleged in the information for the reason that a substance containing less than 36 per cent of protein, less than 7 per cent of ammonia, and more than 14 per cent of crude fiber, with respect to the so-called cottonseed meal, and containing less than 36 per cent of protein, the equivalent of 5.75 per cent of nitrogen, and more than 15 per cent of crude fiber, with respect to the cottonseed feed, had been mixed and packed with the articles, so as to reduce and lower and injuriously affect their quality and strength and had been substituted for the said articles.

Misbranding was alleged for the reason that the statements borne on the respective labels, to wit, "Good Cotton Seed Meal * * * Guaranteed Analysis Protein (minimum) 36.00%, Ammonia (minimum) 7.00% * * * Crude Fibre (maximum) 14.00%," with respect to the so-called cottonseed meal, and "Guaranteed Analysis Protein 36.00%, Equivalent Nitrogen 5.75% * * * Crude Fibre (Max.) 15.00%," with respect to the cottonseed feed, were false and misleading, in that the said statements represented that the former was good cottonseed meal containing not less than 36 per cent of protein, not less than 7 per cent of ammonia, and not more than 14 per cent of crude fiber, and that the latter contained 36 per cent of protein, the equivalent of 5.75 per cent of nitrogen, and contained not more than 15 per cent of crude fiber, and for the further reason that the articles were labeled as afore-

said so as to deceive and mislead the purchaser into the belief that they were as so represented, whereas the said cottonseed meal was not good cottonseed meal but was cottonseed feed containing less than 36 per cent of protein, less than 7 per cent of ammonia, and more than 14 per cent of crude fiber, and was an imitation of and was offered for sale under the distinctive name of another article, cottonseed meal, which it purported to be but was not, and the said cottonseed feed contained less than 36 per cent of protein, the equivalent of 5.75 per cent of nitrogen, and contained more than 15 per cent of crude fiber.

On May 31, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14439. Adulteration and misbranding of noodles. U. S. v. 2 Drums of Noodles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21022. I. S. No. 10782-x. S. No. W-1958.)

On April 16, 1926, 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 a libel praying seizure and condemnation of 2 drums of noodles, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Porter-Scarpelli Macaroni Co., from Portland, Oreg., March 2, 1926, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article bore the statement prominently labeled on the end of the drum: "Porter Wide Coil Noodles," and was also indistinctly stamped "Artificially Colored." It also had a paper label reading in part: "Porter-Scarpelli Macaroni Co. Portland, Oregon, U. S. A."

Adulteration of the article was alleged in the libel for the reason that an artificially colored product containing little or no eggs had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that it was colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the designation "Noodles," borne on the label, was false and misleading and deceived and misled the purchaser when applied to an artificially colored paste containing little or no eggs, and for the further reason that it was an imitation of and offered for sale under the distinctive name of another article.

On July 1, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14440. Adulteration of canned sardines. U. S. v. 140, et al., Cases of Sardines. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20448, 20449, 20508 to 20512, incl., 20532. I. S. Nos. 3912-x, 3920-x. S. Nos. C-5024, C-5031.)

On September 19 and October 16 and 21, 1925, respectively, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 640 cases of canned sardines, in various lots at New Iberia, New Orleans, Baton Rouge, Thibodaux, and Kentwood, La., respectively, alleging that the article had been shipped by the Maine Cooperative Sardine Co., in part from New York, N. Y., on or about August 12, 1925, and in part from Eastport, Me., on or about September 19, 1925, and transported from the States of New York and Maine, respectively, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: "Banquet Brand American Sardines * * * Packed At Eastport * * * Me. By L. D. Clark & Son." The remainder of the said article was labeled in part: "Possum Brand Maine Sardines * * * Packed By Seacoast Canning Co. Eastport, Me."

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 animal substance.

On January 11 and April 13, 1926, respectively, 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.

W. M. JARDINE, *Secretary of Agriculture.*