

imum) 36.00% Ammonia (minimum) 7.00% * * * Crude Fibre (maximum) 14.00%," with respect to the so-called cottonseed meal, were false and misleading, in that the said statements represented that the former contained 36 per cent of protein and not more than 15 per cent of crude fiber, and that the latter was paramount brand good cottonseed meal, i. e., cottonseed meal superior to all other brands, that it had a minimum protein content of 36 per cent, a minimum ammonia content of 7 per cent, and a maximum crude fiber content of 14 per cent, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they were as represented, whereas the said cottonseed feed contained less than 36 per cent of protein and more than 15 per cent of crude fiber, and the so-called cottonseed meal was not paramount brand cottonseed meal superior to all other brands, but was cottonseed feed containing less than 36 per cent of protein, containing less than 7 per cent of ammonia, and more than 14 per cent of crude fiber. Misbranding of the so-called cottonseed meal was alleged for the further reason that it was an imitation of and was offered for sale under the distinctive name of another article, to wit, cottonseed meal.

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 and costs.

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

14452. Misbranding of oleomargarine. U. S. v. 60 Cartons, et al., of Oleomargarine. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20995. I. S. No. 2204-x. S. No. C-5063.)

On April 3, 1926, the United States attorney for the Southern District of Ohio, 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 100 cartons of oleomargarine, remaining unsold at Dayton, Ohio, consigned by the Standard Nut Margarine Co., Indianapolis, March 19, 1926, alleging that the article had been shipped in interstate commerce from Indianapolis, Ind., into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Standard Oleomargarine One Pound Net Weight Nut Margarine," (wrapper) "1 Lb. Net Weight Oleomargarine Standard Nut Margarine Company Indianapolis, Indiana."

Misbranding of the article was alleged in the libel for the reason that the statement "One Pound Net Weight," borne on the labels, was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 20, 1926, Charles Wood, Dayton, Ohio, claimant, having admitted the allegations of the libel 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 \$1,000, conditioned in part that it be salvaged, or relabeled under the supervision of this department.

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

14453. Adulteration and misbranding of ether. U. S. v. 92 Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21040. I. S. No. 10553-x. S. No. W-1964.)

On April 26, 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 and on April 27, 1926, an amended libel praying seizure and condemnation of 92 cans of ether, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from St. Louis, Mo., February 24, 1926, and transported from the State of Missouri into the State of California, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Mallinckrodt One Pound Ether U. S. P. VIII Mallinckrodt Chemical Works."

Adulteration of the article was alleged in the libel for the reason that it fell below the professed standard under which it was sold, and for the further reason that it contained a material amount of non volatile matter, which was not permitted by the specifications of the 8th revision of the United States

Pharmacopœia, and in that it also failed to meet the requirements of the 8th revision of the said pharmacopœia for absence of acid.

Misbranding was alleged for the reason that the statement "Ether U. S. P. VIII." borne on the labels, was false and misleading.

On May 11, 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.*

14454. Misbranding and alleged adulteration of feed. U. S. v. 79 Sacks of So-Called General Feed. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20819. I. S. No. 8430-x. S. No. C-4926.)

On December 16, 1925, the United States attorney for the District of Kansas, acting upon a report by the Secretary of the Kansas State Board of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 79 sacks of so-called general feed, remaining in the original unbroken packages at Corning, Kans., alleging that the article had been shipped by the General Commission Co., Kansas City, Mo., on or about October 1, 1925, and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100# Net Weight When Packed. General Feed Distributed By General Commission Co., Kansas City, Mo. Protein, not less than 16.00% * * * Crude Fiber, not more than 8.50%."

It was alleged in the libel that the article was adulterated, in that it contained more than 8.5 per cent of crude fiber and less than 16 per cent of protein.

Misbranding was alleged for the reason that the statement on the label to the effect that the article contained not more than 8.5 per cent of crude fiber and not less than 16 per cent of protein was false, in that it contained more than 8.5 per cent of crude fiber and less than 16 per cent of protein. Misbranding was alleged for the further reason that the article was [food] in package form and the quantity of the contents was not correctly stated on the outside of the package.

On January 20, 1926, the Blue Rapids Mill & Elevator Co., Blue Rapids, Kans., having appeared as claimant for the property and having consented to the entry of a decree, judgment of the court was entered, finding the product misbranded and ordering its condemnation, and it was further ordered by the court that the said product be released to the claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled to show its true contents.

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

14455. Adulteration and misbranding of jellies. U. S. v. Shenandoah Valley Apple Cider & Vinegar Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 19665. I. S. Nos. 16301-v, 16302-v, 16373-v, 16374-v, 16375-v.)

On August 15, 1925, the United States attorney for the Western District of Virginia, 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 Shenandoah Valley Apple Cider & Vinegar Co., a corporation, Winchester, Va., alleging shipment by said company, in violation of the food and drugs act, on or about October 9, 1924, from the State of Virginia into the State of North Carolina, of quantities of jellies which were adulterated and misbranded. The articles were labeled in part: (Glass) "Apple-Raspberry Flavor Jelly" (or "Apple Jelly" or "Apple-Cherry Flavor Jelly" or "Apple-Strawberry Flavor Jelly" or "Apple-Blackberry Flavor Jelly") "Pure Cane Sugar And Apple Pectin. Shenandoah Valley Apple Cider & Vinegar Co. Winchester, Va."

Adulteration of the articles was alleged in the information for the reason that certain substances, to wit, pectin and sugar, had been mixed and packed with the said articles so as to lower and reduce and injuriously affect their quality and strength and in that pectin jellies had been substituted in part for the said articles.

Misbranding was alleged for the reason that the statements, to wit, "Apple-Raspberry Flavor Jelly," "Apple Jelly," "Apple-Cherry Flavor Jelly," "Apple-Strawberry Flavor Jelly," and "Apple-Blackberry Flavor Jelly," borne on the