

Adulteration of the article was alleged in the libel for the reason that a substance, excessive stem material, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for normal alfalfa leaves and blossoms, poultry greens of good commercial quality, and in that an inferior constituent, stem material, had been wholly or in part added thereto.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, and in that the statements, "Alfalfa Leaves and Blossoms * * * Protein 21% Min. Fibre 12.50% Max," borne on the label, were false and misleading and deceived and misled the purchaser.

On April 11, 1927, the A. W. Scott Co., San Francisco, Calif., 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 \$100, conditioned in part that it not be sold or otherwise disposed of contrary to law.

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

15022. Adulteration and misbranding of feeds. U. S. v. 120 Sacks of Feed. Decree of condemnation entered. Product released under bond. (F. & D. No. 21667. I. S. Nos. 15455-x, 15456-x. S. No. C-5332.)

On or about February 26, 1927, the United States attorney for the Northern District of Alabama, 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 120 sacks of feed, at Birmingham, Ala., alleging that the article had been shipped by the Sturges Co., from Meridian, Miss., about February 3, 1927, and transported from the State of Mississippi into the State of Alabama, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance low in protein had been mixed and packed with and substituted wholly and in part for the said article.

Misbranding was alleged for the reason that the statements "100 Pounds Net Bar Nun Dairy Feed Manufactured by The Sturges Company Meridian, Miss. Guaranteed Analysis: Protein, not less than 18%," with respect to a portion of the product, and "100 Pounds Net Big 6 Horse and Mule Feed Manufactured by The Sturges Company Meridian, Miss. Guaranteed Analysis: Crude Protein, not less than 11.30%," with respect to the remainder thereof, borne on the respective labels, were false and misleading and deceived and misled the purchaser.

On March 16, 1927, the Sturges Co., Meridian, Miss., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$500, and it was further ordered that it be shipped to Meridian, Miss., to be reworked and reconditioned, and that it not be sold or otherwise disposed of until all Government requirements had been complied with.

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

15023. Misbranding of cottonseed cake. U. S. v. Landa Milling Co. Plea of nolo contendere. Fine, \$50. (F. & D. No. 19766. I. S. No. 8427-x.)

On May 24, 1926, the United States attorney for the Western District of Texas, 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 Landa Milling Co., a corporation, New Braunfels, Tex., alleging shipment by said company, under the name of the Landa Cotton Oil Co., on or about August 27, 1925, from the State of Texas into the State of Kansas, of a quantity of cotton-seed cake which was misbranded. The article was labeled in part: (Tag) "This package contains 100 pounds (Net) * * * Landa Cotton Oil Co., New Braunfels, Texas."

Examination by this department of 55 unopened sacks of the article showed an average net weight of 94.63 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "This package contains 100 pounds (net)," borne on the tag attached to each of the sacks containing the said article, was false

and misleading, in that the said statement represented that the sacks each contained 100 pounds of the product, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the sacks each contained 100 pounds of the product, whereas they did not 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 package.

On April 18, 1927, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

15024. Adulteration and misbranding of butter. U. S. v. 12 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21843. I. S. No. 16180-x. S. No. E-6054.)

On March 31, 1927, the United States attorney for the Southern 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 seizure and condemnation of 12 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Land O'Lakes Creameries, Inc., from Peoria, Ill., on or about March 21, 1927, and transported from the State of Illinois into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or 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 article was offered for sale under the distinctive name of another article.

On April 15, 1927, John Christiansen, Slayton, Minn., 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 \$350, conditioned in part that it be reworked and reprocessed so as to contain at least 80 per cent of butterfat.

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

15025. Adulteration of dried figs. U. S. v. 87 Boxes of Adulterated Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21707. I. S. No. 10728-x. S. No. W-2103.)

On March 7, 1927, the United States attorney for the District of Oregon, 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 87 boxes of dried figs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the S. F. Warehouse Co., from San Francisco, Calif., on or about November 5, 1926, and transported from the State of California into the State of Oregon, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Calimyrna Figs. Packed and Guaranteed by Melville B. Levi. * * * Clovis, California."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and in that filthy, decomposed, and putrid dried figs had been substituted for normal dried figs of good commercial quality.

On April 6, 1927, 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.*

15026. Misbranding of Zendejas medicine. U. S. v. 9-5/6 Dozen Bottles and 12 Dozen Bottles of Zendejas medicine. Decrees of condemnation and forfeiture. Portion of product destroyed. Remainder released under bond to be relabeled. (F. & D. Nos. 21623, 21652. I. S. No. 11121-x. S. Nos. E-3280, E-5949.)

On February 8 and 25, 1927, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agri-