

act. The article was labeled in part: "43 per cent protein Cottonseed Cake Continental Oil-Cotton Company, Colorado, Texas, Guaranteed Analysis: Crude Protein not less than 43 per cent."

It was alleged in the libel that the article was misbranded in that the statements, "43 per cent protein" and "Crude protein not less than 43 per cent," were false and misleading and deceived and misled purchasers.

On December 18, 1928, the Continental Oil-Cotton Co., Colorado, Tex., claimant, having admitted the allegations of the libel and having consented that judgment of condemnation and forfeiture be entered, a decree was entered finding the product misbranded, and it was ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$2,000, conditioned in part that it should not be sold or otherwise disposed of until relabeled by obliterating the statement "43% protein" and substituting therefor the true statement "40% protein."

ARTHUR M. HYDE, *Secretary of Agriculture.*

16150. Misbranding of poultry greens. U. S. v. 400 Sacks of Atlas Poultry Greens. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23110. I. S. No. 0126. S. No. 1199.)

On or about October 16, 1928, the United States attorney for the Southern District of Florida, 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 400 sacks of Atlas poultry greens at Tampa, Fla., alleging that the article had been shipped by the A. W. Scott Co., from San Francisco, Calif., September 12, 1928, and transported from the State of California into the State of Florida, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Tag) "Atlas Poultry Greens manufactured by The A. W. Scott Co., San Francisco, California. Guaranteed Analysis Crude Protein, not less than 20 per cent * * * Crude Fiber, not More than 18 per cent."

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article were false and misleading and deceived and misled the purchaser: "Crude Protein, not less than 20 per cent," "Crude Fiber, not More than 18 per cent."

On October 30, 1928, the Jackson Grain Co., Tampa, Fla., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture 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 \$250, conditioned in part that it be relabeled so that the product conform with the labels in the matter of protein and fiber content. It was further ordered by the court that the claimant pay costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*