

the article had been shipped by the Dallas Oil & Refining Co., Dallas, Tex., on or about December 13, 1928, and transported from the State of Texas into the State of Illinois, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Climax Brand Cottonseed Cake and Meal Prime Quality Guaranteed Analysis Crude Protein not less than 43% * * * Made from Decorticated Cotton Seed for Southland Cotton Oil Company * * * Paris, Texas."

It was alleged in the libel that the article was misbranded in that the statement borne on the label, "Protein not less than 43%," was false and misleading and deceived and misled the purchaser when applied to a product containing a less amount of protein than stated on the label.

On January 8, 1929, the Dallas Oil & Refining Co., Dallas, Tex., 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 costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

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

16172. Adulteration of frozen poultry. U. S. v. 10 Barrels of Frozen Poultry. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23175. I. S. No. 01779. S. No. 1277.)

On October 31, 1928, the United States attorney for the Northern District of Illinois, 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 10 barrels of frozen poultry, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Fort Worth Poultry & Egg Co., from Fort Worth, Tex., October 6, 1928, and transported from the State of Texas into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance.

On January 3, 1929, the Sangamon Commission House, claimant, having admitted the material 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be examined under the supervision of this department and the portion unfit for food destroyed and the portion fit for food released.

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

16173. Adulteration of chestnuts. U. S. v. 5 Cases of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23302. I. S. No. 01734. S. No. 1430.)

On January 2, 1929, 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 5 cases of chestnuts, remaining in the original unbroken packages at Cincinnati, Ohio, consigned by Sgobel & Day, Lexington, Ky., alleging that the article had been shipped from Lexington, Ky., December 20, 1928, and transported from the State of Kentucky into the State of Ohio, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On January 17, 1929, 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.

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

16174. Adulteration and misbranding of pink root. U. S. v. R. Hillier's Son Co. (Inc.). Plea of guilty. Fine, \$100. (F. & D. No. 22560. I. S. No. 13315-x.)

On October 15, 1928, the United States attorney for the District of New Jersey, 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 R. Hillier's Son Co. (Inc.), Jersey City, N. J., alleging shipment by said company, in violation of the food and drugs act, on or about February 2, 1927, from the