

17299. Misbranding of beef scrap. U. S. v. 7 Bags of Ground Beef Scrap. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24715. I. S. No. 011078. S. No. 8061.)

On April 10, 1930, the United States attorney for the District of Maryland, 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 7 bags of ground beef scrap, remaining in the original unbroken packages at Preston, Md., alleging that the article had been shipped by the Enterprise Tallow & Grease Co., from Philadelphia, Pa., on or about January 15, 1930, and had been transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Enterprise's Del-Mar-Va Ground Beef Scrap * * * Protein (Min.) 55%, * * * Manufactured by Enterprise Tallow & Grease Co., Philadelphia, Pa."

It was alleged in the libel that the article was misbranded in that the statement appearing on the label, "Ground Beef Scrap * * * Protein 55%," was false and misleading and deceived and misled the purchaser.

On June 9, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17300. Misbranding of horse and mule feed. U. S. v. 19 Bags of Do-Mor 65 Horse and Mule Feed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24570. I. S. No. 042126. S. No. 2876.)

On February 25, 1930, the United States attorney for the Western 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 a libel praying seizure and condemnation of 19 bags of horse and mule feed, remaining in the original unbroken packages at Charlotte, N. C., alleging that the article had been shipped by the Always-A-Head Mills (Inc.), East St. Louis, Ill., on or about January 28, 1930, and had been transported from the State of Illinois into the State of North Carolina, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Do-Mor 65 Horse and Mule Feed Made by Always-A-Head Mills, Inc., East St. Louis, Ills. Guaranteed Analysis Crude Protein, not less than 9.00 Per Cent."

It was alleged in the libel that the article was misbranded in that the statement "Guaranteed Analysis Crude Protein, not less than 9.00 Per Cent," borne on the tags attached to the bags containing the article, was false and misleading and deceived and misled the purchaser when applied to an article containing a less amount of protein.

On May 15, 1930, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*