

Misbranding was alleged for the reason that the statements, to wit, "Extra Quality Meat Scraps," "Guaranteed Analysis Protein Min. 55% * * * Phos. Acid Max. 10%," with respect to a portion of the product, and the statements, to wit, "High Grade Meat Scraps," and "Guaranteed Analysis Protein Min. 45% * * * Phos. Acid Max. 10%," with respect to the remainder, borne on the labels, were false and misleading in that they represented that the article was extra quality or high-grade meat scraps containing not less than 55 per cent, or 45 per cent, as the case might be, of protein, and not more than 10 per cent of phosphoric acid; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was extra quality or high-grade meat scraps, containing not less than the said declared amounts of protein, and not more than 10 per cent of phosphoric acid; whereas the article was not extra quality or high-grade meat scraps containing the declared amounts of protein and phosphoric acid, but was meat and bone meal containing less protein and more phosphoric acid than represented.

On September 25, 1930, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18430. Adulteration of rabbits. U. S. v. 2 Boxes of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25470. I. S. No. 8904. S. No. 3750.)

Samples of rabbits from the shipment herein described having shown evidence of decomposition and certain diseased conditions, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of New York.

On December 11, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two boxes of rabbits at Buffalo, N. Y., alleging that the article had been shipped by William and Thomas Mitchell, Carlton, Kans., on or about December 3, 1930, and had been transported from the State of Kansas into the State of New York, 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 whole or in part of a filthy, decomposed, and putrid animal substance.

On January 21, 1931, 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.*

18431. Adulteration of rabbits. U. S. v. 67 Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25478. I. S. No. 8906. S. No. 3769.)

Samples of rabbits from the shipment herein described having shown evidences of decomposition and certain diseased conditions, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of New York.

On December 11, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 67 rabbits at Buffalo, N. Y., alleging that the article had been shipped by T. S. Wilson, from Spickard, Mo., on or about December 4, 1930, and had been transported from the State of Missouri into the State of New York, 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 whole or in part of a decomposed animal substance.

On January 21, 1931, 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.*

18432. Adulteration of canned prunes. U. S. v. 150 Cases of Canned Prunes. Default decree of condemnation and destruction. (F. & D. No. 25932. I. S. No. 24032. S. No. 4161.)

Samples of canned prunes from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of Kansas.