

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 798, FOOD AND DRUGS ACT.

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### MISBRANDING OF COTTONSEED MEAL.

On or about December 1, 1908, the J. Lindsay Wells Company, a corporation, Memphis, Tenn., shipped from the State of Tennessee into the State of Kentucky a consignment of cottonseed meal. M. A. Scovell, Director of the Kentucky Agricultural Experiment Station, Lexington, Ky., acting under authority of the Secretary of Agriculture, caused a sample from the above shipment to be procured and analyzed with the result that the product was found to contain protein 17.90 per cent, fat 6.04 per cent, and fiber 23.26 per cent. As the findings of the analyst and report made indicated that the said cottonseed meal was misbranded within the meaning of the Food and Drugs Act of June 30, 1906, the said J. Lindsay Wells Company, Incorporated, was afforded an opportunity for hearing. As it appeared after hearing held that the shipment was made in violation of the act, the said director of the Kentucky Agricultural Experiment Station reported the facts to the Attorney-General with a statement of the evidence upon which to base a prosecution.

On May 7, 1910, a criminal information was filed in the District Court of the United States for the Western District of Tennessee against the said J. Lindsay Wells Company, Incorporated, charging the above shipment and alleging that the product so shipped was misbranded in that the said cottonseed meal bore certain brands and labels which set forth and represented that the product contained 41 per cent protein, whereas in truth and in fact the said cottonseed meal did not contain more than 20 per cent protein, and that said representations and statements upon said labels and brands were false and untrue.

On December 3, 1910, the defendant entered a plea of guilty to the above information and the court imposed a fine of \$25 and costs.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 2, 1911.*

