

**5317. Misbranding of cottonseed meal and cake. U. S. \* \* \* v. Choctaw Cotton Oil Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7771. I. S. No. 16083-1.)**

On January 29, 1917, the United States attorney for the Eastern District of Oklahoma, 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 Choctaw Cotton Oil Co., a corporation, doing business at Ada, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 7, 1915, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part "Cottonseed Meal and Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Crude fiber (per cent)-----	13.5
Protein (per cent)-----	37.1

The results of analysis show that the product contains more fiber and less protein than is declared on the label.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Guaranteed Analysis Crude Protein \* \* \* not less than 41% to 43% \* \* \* Crude Fiber \* \* \* not more than \* \* \* 12%," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 41 per cent of crude protein and not more than 12 per cent of crude fiber; and for the further reason that it was labeled as aforesaid, so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained approximately 37.1 per cent of crude protein and approximately 13.5 per cent of crude fiber.

On March 5, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

*R. A. PEARSON, Acting Secretary of Agriculture.*