

5578. Misbranding of cottonseed meal. U. S. * * * v. The Union Seed & Fertilizer Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 8101. T. S. No. 9168-1.)

On March 24, 1917, the United States attorney for the Western District of Tennessee, 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 Union Seed & Fertilizer Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 9, 1915, from the State of Tennessee into the State of Maine, of a quantity of an article labeled in part, "Kineda Prime Cottonseed Meal," 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)-----	14.88
Protein (N x 6.25) (per cent)-----	34.1
Nitrogen (per cent)-----	5.46

Misbranding of the article was alleged in the information for the reason that the statement borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, to wit, "Analysis Guaranteed Protein not less than 38.6% * * * Fibre not more than 12%," was false and misleading in that it represented that said article contained not less than 38.6 per cent of protein and not more than 12 per cent of 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 38.6 per cent of protein and not more than 12 per cent of fiber, whereas, in truth and in fact, it contained less than 38.6 per cent of protein and more than 12 per cent of fiber, to wit, approximately 34.1 per cent of protein and 14.88 per cent of fiber.

On June 9, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*