

5695.- Adulteration of cottonseed meal. U. S. * * * v. Rose City Cotton Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7799. I. S. Nos. 19727-1, 19732-1, 19737-1.)

On April 6, 1917, the United States attorney for the Eastern District of Arkansas, 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 Rose City Cotton Oil Mill, a corporation, Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 7, 1915, December 6, 1915, and December 4, 1915, from the State of Arkansas into the State of Michigan, of quantities of an article with packages of tags accompanying the article, reading in part, "Own Brand High-Grade Cotton Seed Meal, F. W. Brode & Co. Inc., Memphis, Tenn., jobbers," which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	(1) Shipment of Dec. 7, 1915.	(2) Shipment of Dec. 6, 1915.	(3) Shipment of Dec. 4, 1915.
Crude fiber (per cent)-----	15.20	15.12	15.14
Crude protein (N. x 6.25) (per cent)---	35.60	33.75	33.20
Total nitrogen (per cent)-----	5.70	5.40	5.31
Total ammonia (per cent)-----	6.93	6.55	6.44
Ether extract (crude fat) (per cent)---	-----	-----	5.15

Nos. 1 and 2 contain less ammonia, protein, and nitrogen and more crude fiber than is declared on the label.

No. 3 is lower in protein, ammonia, nitrogen, and fat and higher in crude fiber than declared.

Adulteration of the article in the shipments on December 7 and December 6, 1915, was alleged in the information for the reason that a certain substance, to wit, cottonseed meal containing less than 8 per cent of ammonia, 41 per cent of protein, and 6.5 per cent of nitrogen, and more than 10 per cent of fiber, had been substituted for cottonseed meal containing not less than 8 per cent of ammonia, 41 per cent of protein, and 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, which the article purported to be.

Adulteration of the article in the shipment of December 4, 1915, was alleged for the reason that a certain substance, to wit, cottonseed meal containing less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of fat, and 6.5 per cent of nitrogen, and more than 10 per cent of fiber, had been substituted for cottonseed meal containing not less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of fat, and 6.5 per cent of nitrogen, and not more than 10 per cent of fiber, which the article purported to be.

On April 16, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

**5696. Misbranding of cottonseed meal and cottonseed cake. U. S. * * *
v. Apache Cotton Oil & Mfg. Co., a corporation. Plea of guilty.
Fine, \$50. (F. & D. No. 7806. I. S. No. 16068-1.)**

On February 9, 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 Apache Cotton Oil & Mfg. Co., a corporation, Chickasha, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 20, 1916, from the State of Oklahoma into the State of Iowa, of quantities of articles labeled in part, "Owl Brand High-grade Cotton Seed Meal," which were misbranded.

Analysis of samples of the articles by the Bureau of Chemistry of this department showed the following results:

	Cottonseed meal.	Cottonseed cake.
Crude fiber (per cent)-----	11.43	11.85
Nitrogen (per cent)-----	6.23	6.16
Protein (N×6.25) (per cent)-----	38.94	38.50

The above examination shows the products to be low in protein and nitrogen and high in crude fiber.

Misbranding of the cottonseed meal 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, "Guaranteed analysis * * * Protein 41%, Fiber, maximum 10%," was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 10 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 41 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, approximately 38.94 per cent of protein and 11.43 per cent of fiber.

Misbranding of the cottonseed cake was alleged 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, "Guaranteed analysis * * * Protein 41%, Fiber, maximum, 10%," was false and misleading in that it represented that the article contained not less than 41 per cent of protein and not more than 10 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 41 per cent of protein and not more than 10 per cent of fiber, whereas, in truth and in fact, it contained less than 41 per cent of protein and more than 10 per cent of fiber, to wit, approximately 38.50 per cent of protein and 11.85 per cent of fiber.

On February 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, Acting Secretary of Agriculture.