

5930. Misbranding of cottonseed meal. U. S. * * * v. Crescent Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8088. I. S. No. 19630-m.)

On March 20, 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 Crescent Cotton Oil Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 25, 1916, from the State of Tennessee into the State of Indiana, 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:

Ether extract (crude fat) (per cent)	5.6
Crude fiber (per cent)	14.8
Crude protein (per cent)	35.3

The product contained less crude fat, less crude protein, and more crude fiber than it was labeled to contain.

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, "Guarantees this Kineda Prime Cottonseed Meal to contain not less than 6.0 per cent. of crude fat, 38.6 per cent. of crude protein, not more than 12.0 per cent. of crude fibre," was false and misleading in that it represented that the article contained not less than 6 per cent of crude fat, not less than 38.6 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 the amounts indicated of crude fat and crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than the amounts indicated of crude fat and crude protein and more than 12 per cent of crude fiber, to wit, approximately 5.6 per cent of crude fat, approximately 35.3 per cent of crude protein, and 14.8 per cent of crude fiber.

On February 4, 1918, 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.*