

## United States Department of Agriculture,

BUREAU OF CHEMISTRY.

W. G. CAMPBELL, Acting Chief of Bureau.

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### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 9251-9300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., August 5, 1921.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**9251. Misbranding of tankage. U. S. \* \* \* v. Swift & Co., a Corporation. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 11132. I. S. No. 10704-r.)**

On December 13, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Swift & Co., a corporation, having a place of business at Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1919, from the State of Ohio into the State of Indiana, of a quantity of tankage which was misbranded. The article was labeled in part: "Swift & Company, of Chicago, Ill., Guarantee this Swift's Digester Tankage to contain not less than \* \* \* 60.0 per cent. of crude protein \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 55.6 per cent of crude protein.

Misbranding of the article was alleged in the information for the reason that the following statement appearing on the label, to wit, "\* \* \* to contain not less than \* \* \* 60.0 per cent. of crude protein," was false and misleading in that it represented that said article contained not less than 60 per cent of crude protein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 60 per cent of crude protein, whereas, in truth and in fact, it contained less than 60 per cent of crude protein.

On March 21, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*