

Cotton Oil Company Vernon, Texas. Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent."

Analysis by the Bureau of Chemistry of this department of a sample of the article from the shipment showed 41.16 per cent of protein.

Adulteration of the article was alleged in the information for the reason that a product which contained less than 43 per cent of protein had been substituted for 43 per cent protein cottonseed cake, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "43% Protein Cottonseed Cake" and "Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent," borne on the label, were false and misleading, in that the said statements represented that the article was 43 per cent protein cottonseed cake, and contained not less than 43 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was 43 per cent protein cottonseed cake, and contained not less than 43 per cent of crude protein, whereas it was a product which contained less than 43 per cent of crude protein.

On November 16, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

**14467. Adulteration of canned string beans. U. S. v. 886 Cases and 95 Cases of String Beans. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 19563, 20693. I. S. Nos. 23168-v, 4258-x. S. Nos. C-4637, C-4897.)**

On February 9 and December 7, 1925, respectively, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 981 cases of canned string beans, remaining in the original packages in part at Anthony, Kans., and in part at Arkansas City, Kans., alleging that the article had been shipped by Appleby Bros., in part from Fayetteville, Ark., and in part from West Fork, Ark., on or about July 25, 1924, and September 15, 1925, respectively, and transported from the State of Arkansas into the State of Kansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sahara Brand" (or "Zat-Zit Brand") "Cut String Beans \* \* \* Packed by Appleby Bros. Fayetteville, Ark."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed or putrid vegetable substance.

On September 22, 1925, and March 4, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**14468. Misbranding of cottonseed cake. U. S. v. Munday Cotton Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 19722. I. S. No. 23099-v.)**

In the month of March, 1926, the United States attorney for the Northern District of Texas, 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 Munday Cotton Oil Co., a corporation, Munday, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about January 20, 1925, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: (Tag) "100 Pounds (Net) 43 Percent Protein Cottonseed Cake Prime Quality Manufactured by Munday Cotton Oil Company Munday, Texas Guaranteed Analysis Crude Protein not less than 43.00 Per Cent."

Analysis by the Bureau of Chemistry of this department of 1 sample from the shipment showed 39.18 per cent protein, and examination of 40 sacks of the article showed an average net weight of 98.86 pounds.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "43 Percent Protein," "Guaranteed Analysis Crude Protein not less than 43.00 Per Cent," and "100 Pounds (Net)," borne on the labels, were false and misleading, in that the said statements represented that the article contained not less than 43 per cent of protein, and that it

contained not less than 43 per cent of crude protein, and that each of the sacks contained 100 pounds net of the said article, 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 43 per cent of protein and not less than 43 per cent of crude protein, and that each sack contained 100 pounds net of the article, whereas it contained less than 43 per cent of protein, less than 43 per cent of crude protein, and the said sacks contained less than 100 pounds net of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 29, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

**14469. Misbranding of cottonseed cake. U. S. v. Wichita Falls Cotton Oil Co. Plea of guilty. Fine, \$250. (F. & D. No. 19656. I. S. No. 23033-v.)**

On June 15, 1925, the United States attorney for the Northern District of Texas, 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 Wichita Falls Cotton Oil Co., a corporation, Wichita Falls, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about October 13, 1924, from the State of Texas into the State of Oklahoma, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: (Tag) "100 Pounds (Net) \* \* \* Cottonseed Cake Prime Quality Manufactured By Wichita Falls Cotton Oil Company Wichita Falls, Texas."

Examination by the Bureau of Chemistry of this department of 32 sacks of the article from the shipment showed an average net weight of 97.4 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tags attached to the sacks containing the said article, was false and misleading, in that the said statement represented that each sack contained 100 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said sacks contained 100 pounds net of the said article, whereas they did not but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 17, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250.

W. M. JARDINE, *Secretary of Agriculture.*

**14470. Misbranding of cottonseed cake. U. S. v. Commerce Oil Mill Co. Plea of guilty. Fine, \$50. (F. & D. No. 19683. I. S. No. 23876-v.)**

On September 30, 1925, the United States attorney for the Northern District of Texas, 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 Commerce Oil Mill Co., a corporation, Commerce, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about December 6, 1924, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: "100 Pounds (Net) \* \* \* Cottonseed Cake Prime Quality Manufactured by Commerce Oil Mill Company, Commerce, Texas."

Examination by the Bureau of Chemistry of this department of 20 sacks of the article from the shipment showed an average net weight of 97.61 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tag attached to each of the sacks containing the said article, was false and misleading, in that the said statement represented that each sack contained 100 pounds of cottonseed cake, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each sack contained 100 pounds of cottonseed cake, whereas the said sacks did not each contain 100 pounds of the article, but did contain in each of a number of said sacks less than 100 pounds. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the