On May 31, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FEED

710. Misbranding of cottonseed meal. U. S. v. The Southland Cotton Oil Co. Plea of guilty. Fine, $50. (F. D. C. No. 934. Sample Nos. 6002–D, 6003–D.)

This product was short weight.

On April 20, 1940, the United States attorney for the Northern District of Texas filed an information against the Southland Cotton Oil Co., a corporation, Waxahachie, Tex., alleging shipment on or about September 4, 1939, from the State of Texas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. It was labeled in part: "100 Pounds Net Chickasha Prime 43% Protein Cottonseed Cake or Meal."

It was alleged to be misbranded in that the statement "100 Pounds Net" on the tags attached to the sacks, was false and misleading in that said sacks did not contain 100 pounds net but did contain a less amount. It was alleged to be misbranded further in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On May 17, 1940, a plea of guilty was entered on behalf of the defendant and a fine of $50 was imposed.

711. Adulteration and misbranding of wheat gray shorts and ground wheat screenings. U. S. v. General Mills, Inc. (Washburn Crosby Co.). Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 943. Sample No. 6001–D.)

Wheat brown shorts had been substituted in whole or in part for wheat gray shorts in this product, which also contained fiber in excess of the amount declared.

On May 13, 1940, the United States attorney for the Western District of Missouri filed an information against General Mills, Inc., trading as Washburn Crosby Co., at Kansas City, Mo., alleging shipment on or about July 19, 1939, from the State of Missouri into the State of Kansas of a quantity of the above-named product, which was adulterated and misbranded. It was labeled in part: "Washburn's Gold Medal."

The article was alleged to be adulterated in that wheat brown shorts and screenings had been substituted in whole or in part for wheat gray shorts and screenings.

It was alleged to be misbranded in that the statements, "Wheat Gray Shorts and * * * Screenings" and "Crude Fiber not more than 6.0%," borne on the labels, were false and misleading since it consisted in whole or in part of wheat brown shorts and screenings and contained more than 6 percent of crude fiber. It was alleged to be misbranded further in that it was offered for sale and sold under the name of another article.

On June 6, 1940, a plea of nolo contendere was entered on behalf of the defendant, and a fine of $100 and costs was imposed.

712. Adulteration and misbranding of wheat gray shorts and screenings. U. S. v. Rodney Milling Co. Plea of guilty. Fine, $50 and costs. (F. D. C. No. 944. Sample No. 5983–D.)

Wheat brown shorts had been substituted in whole or in part for wheat gray shorts in this product, which also contained fiber in excess of the amount declared.

On May 8, 1940, the United States attorney for the Western District of Missouri filed an information against the Rodney Milling Co., at Kansas City, Mo., alleging shipment on or about September 13, 1939, from the State of Missouri into the State of Texas of a quantity of the above-named product, which was adulterated and misbranded.

It was alleged to be adulterated in that wheat brown shorts and screenings had been substituted in whole or in part for wheat gray shorts and screenings.

It was alleged to be misbranded in that the statements, "Wheat Gray Shorts and * * * Screenings" and "Crude Fiber not more than 6 percent," borne on the label, were false and misleading since it consisted in whole or in part of wheat brown shorts and screenings and contained more than 6 percent of crude fiber. It was alleged to be misbranded further in that it was offered for sale and sold under the name of another food.

On May 27, 1940, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50 with costs.