

misbranded. It was labeled in part: (Jars) "Morton's Southern Style Chicken Noodle Dinner Ingredients: Egg Noodles, Chicken Broth, Chicken, Mushrooms, Peppers, Spices, and Seasoning. All Meat Visible."

The article was alleged to be misbranded (1) in that the name "Chicken Noodle Dinner" was false and misleading as applied to an article consisting largely of noodles with only 7 percent of chicken meat; (2) in that the word "Mushrooms" in the statement of ingredients was false and misleading because this declaration, as it appeared in the ingredient statement, implied the presence of more than one or two small mushroom pieces per jar; and (3) in that its container was so filled as to be misleading, since the chicken meat was used to face the jar.

On March 5, 1942, Morton Packing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into other food products under the supervision of the Food and Drug Administration. Subsequently it was converted into soup, repackaged, and relabeled.

FEED

3667. Misbranding of cottonseed cake and meal. U. S. v. Terminal Oil Mill Co. Plea of guilty. Fine, \$100. (F. D. C. No. 6399. Sample No. 18495-E.)

This product contained less protein than the percentage declared on the label.

On March 19, 1942, the United States attorney for the Western District of Oklahoma filed an information against the Terminal Oil Mill Co., a corporation, at Oklahoma City, Okla., alleging that on or about October 16, 1940, the defendant delivered at Oklahoma City for introduction into interstate commerce from the State of Oklahoma into the State of Kansas a quantity of cottonseed screenings that were misbranded.

The information alleged further that the defendant on or about May 7, 1940, had given to the purchaser of the cottonseed screenings a guaranty against mislabeling or misrepresenting of all cottonseed products; that the cottonseed screenings delivered for introduction into interstate commerce as aforesaid had been sold and delivered by the defendant while the guaranty was in full force and effect; that the purchaser had introduced the article into interstate commerce on or about October 16, 1940; and that by reason thereof the defendant had unlawfully given a guaranty that was false since the article when so delivered for introduction and when introduced into interstate commerce was misbranded. It was labeled in part: "Big Chief Prime Cotton Seed Cake or Meal."

Misbranding was alleged in that the statement "Protein, not less than 43.00%," borne on the tag, was false and misleading since the article contained less than 43 percent of protein, namely, not more than 38.13 percent.

On April 7, 1942, a plea of guilty having been entered by the defendant, the court imposed a fine of \$100.

3668. Misbranding of cottonseed cake and meal. U. S. v. Choctaw Cotton Oil Co. (Shawnee Cotton Oil Mill). Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 6498. Sample No. 25380-E.)

This product contained less protein than the amount declared.

On July 23, 1942, the United States attorney for the Northern District of Oklahoma filed an information against the Choctaw Cotton Oil Co., a corporation trading as Shawnee Cotton Oil Mill, Shawnee, Okla., alleging shipment on or about June 17, 1941, from the State of Oklahoma into the State of Kansas of a quantity of cottonseed screenings that were misbranded in that the statement on the tag, "Protein, not less than 43 percent," was false and misleading since they contained not more than 41.25 percent of protein. The article was labeled in part: "Red Seal Brand Cotton Seed Cake and Meal."

On July 29, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25 and costs.

3669. Misbranding of cottonseed cake and meal. U. S. v. Southland Cotton Oil Co. Plea of guilty. Fine, \$100. (F. D. C. No. 5554. Sample No. 25368-E.)

Analysis showed that this product was deficient in crude protein.

On April 9, 1942, the United States attorney for the Northern District of Texas filed an information against Southland Cotton Oil Co., a corporation, Waxahachie, Tex., alleging shipment on or about February 18, 1941, from the State of Texas into the State of Oklahoma of a quantity of cottonseed screenings which were misbranded. The article was labeled in part: "Southland's Cottonseed Cake and Meal."