

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1773.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF COTTONSEED MEAL.

On October 1, 1909, the United States Attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 110 sacks of cottonseed meal, remaining unsold in the original unbroken packages and in possession of the Consolidated Grocery Co., a corporation, Tampa, Fla., alleging that the product had been shipped from the State of Tennessee into the State of Florida and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "100 pounds creamo brand cotton seed meal for Stock feed only manufactured by Tennessee Fibre Co. Memphis Tennessee, Guaranteed analysis: Protein 22.00, Starch and Sugar 30.00, fat 5.00 made from prime meal and Hu."

Adulteration and misbranding were alleged in the libel for the reason that the sacks or any of them did not contain the substances set forth in the label above or the amounts set forth as they each purported to contain, but contained a mixture of cottonseed meal and approximately 40 per cent cottonseed hulls substituted in part for meal, and the labeling of the tags attached to each of the sacks was misleading and false, and was an adulteration and misbranding within the meaning of said Act. Adulteration and misbranding were alleged for the further reason that said sacks did not contain the substances or amounts set forth above in the label, but contained a mixture of cottonseed meal and approximately 40 per cent of cottonseed hulls, substituted in part for meal, which had been so mixed and packed with the product as to reduce, lower, and injuriously affect its

quality and strength and was an adulteration within the meaning of said Act.

On March 1, 1912, the court found in favor of the United States. The Consolidated Grocery Co., claimant, having paid the costs of the proceedings and executed bond in conformity with section 10 of the Act, it was further ordered and decreed that the product should be released and delivered to said claimant and that the proceedings should be dismissed.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *September 19, 1912.*

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