

3595. Misbranding of cottonseed meal. U. S. v. Southwestern Cotton Oil Co. Plea of guilty. Fine, \$50. (F. & D. No. 5656. I. S. No. 6732-e.)

On September 4, 1914, the United States attorney for the Western District of Oklahoma, 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 Southwestern Cotton Oil Co., a corporation, Oklahoma City, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 11, 1913, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The product was labeled: (On tag) "Prime Cotton Seed Meal. 100 lbs. Gross 99½ lbs. net Southwestern Cotton Oil Co., Oklahoma City. Guaranteed Analysis Protein 39%, Crude Fiber 10½%, Crude Fat 7%, Nitrogen Free Extract 18%. No. 27435 E. H. 100 Pounds Net Weight. Perry Henessy, Secretary, G. F. Bryan President. This is to certify that all charges specified by House Bill No. 294. 'An Act Regulating the sale of concentrated commercial feeding stuffs' have been paid. Oklahoma State Board of Agriculture."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent).....	8.17
Ether extract (per cent).....	6.69
Crude fiber (per cent).....	15.58
Protein (per cent).....	34.75

Misbranding of the product was alleged in the information for the reason that the statement "Protein 39%," borne on the label attached to the package in which the product was shipped and delivered for shipment, was false and misleading, because, as a matter of fact, the article did not contain protein 39 per cent, as represented by said label, but contained a less amount of protein, to wit, 34.75 per cent; further, in that the statement "Crude Fiber 10½%," borne on the labels, was false and misleading, because, as a matter of fact, the article contained more than 10½ per cent crude fiber, as represented by said labels, to wit, 15.58 per cent; further, in that the statement "Prime Cotton Seed Meal," borne on the labels, was false and misleading, because, as a matter of fact, the article was not of the grade known to the trade and public as "prime cottonseed meal," but was a grade of cottonseed meal inferior in quality to the grade known as "prime cottonseed meal."

On September 14, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *February 19, 1915.*