

# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5251-5300.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 24, 1918.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5251. Misbranding of cottonseed meal and cake and cottonseed meal or cake. U. S. \* \* \* v. Cottonseed Products Co., a corporation (Roff Oil & Cotton Co.). Plea of guilty. Fine, \$95 and costs. (F. & D. No. 7659. I. S. Nos. 13004-1, 13005-1, 10069-1, 10071-1, 10076-1, 10078-1, 12314-1, 12315-1.)**

On November 27, 1916, the United States attorney for the Eastern 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 Cottonseed Products Co., a corporation, doing business under the name of the Roff Oil & Cotton Co., Roff, Okla., alleging shipment from the State of Oklahoma by said company, in violation of the Food and Drugs Act, on or about March 2 and 3, 1916, into the State of Nebraska; on February 12, 14, and 19, 1916, into the State of Kansas; on February 14, 1916, and February 15, 1916 (2 shipments), into the State of Missouri, of quantities of cottonseed meal and cake, and cottonseed meal or cake, which were misbranded.

Analysis of a sample of the article from the shipments on March 2 and 3, 1916, into Nebraska, by the Bureau of Chemistry of this department showed respectively:

	No. 1.	No. 2.
Ether extract (per cent)_____	6.47	6.48
Protein (N x 6.25) (per cent)_____	36.9	34.5
Crude fiber (per cent)_____	12.6	13.9

The above results show that the product in each case contained less protein and more fiber than was stated on the label.

Analysis of a sample from the shipments of February 12 and 14, 1916, into Kansas and Missouri showed, respectively:

	No. 1.	No. 2.
Nitrogen (per cent) -----	5.65	5.23
Protein (N x 6.25) (per cent) -----	35.3	32.69
Ammonia (per cent) -----	6.87	6.35
Ether extract (per cent) -----	6.5	5.7
Crude fiber (per cent) -----	13.9	15.2

The above results show that the product in each case contains less ammonia, less protein, less nitrogen, less oil or fat, and more crude fiber than it was labeled to contain.

Analysis of a sample from the shipments of February 14 and 19, 1916, into Kansas, and of the shipments of February 15, 1916, into Missouri showed, respectively:

	No. 1.	No. 2.	No. 3.	No. 4.
Protein (N x 6.25) (per cent) -----	34.91	33.50	35.69	33.69
Ether extract (crude fat) (per cent) --	6.7	5.9	6.10	6.35
Crude fiber (per cent) -----	14.3	15.98	13.55	14.03

The above results show that the product in each case contains less protein and more crude fiber than it was labeled to contain.

Misbranding of the article in all of the shipments except that of February 12, 1916, into Kansas, and February 14, 1916, into Missouri, was alleged in the information for the reason that the statements regarding said article and the ingredients and substances contained therein appearing on the labels, to wit, "Guaranteed Analysis Crude Protein not less than 41 per cent \* \* \* Crude Fibre not more than 9½ per cent" (or "Guaranteed Analysis Protein 41 to 43% \* \* \* Fibre not more than 12%," as the case might be), were false and misleading in that they indicated to purchasers thereof that the said article contained not less than 41 per cent of crude protein and not more than 9½ per cent of crude fiber (or that it contained not less than 41 per cent of protein and not more than 12 per cent of fiber, as the case might be); and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 41 per cent of crude protein, and not more than 9½ per cent of crude fiber (or not less than 41 per cent of crude protein and not more than 12 per cent of fiber), when, in truth and in fact, it contained less than 41 per cent of crude protein and more than 9½ per cent crude fiber (or less than 41 per cent of protein and more than 12 per cent of fiber).

Misbranding of the article in the shipments of February 12, 1916, into Kansas, and February 14, 1916, into Missouri, was alleged in substance in the information for the reason that the statement regarding the article and the ingredients and substances contained therein, appearing on the labels, to wit, "\* \* \* Guaranteed Analysis Ammonia 8 to 8½ per cent, Protein 41 to 43 per cent, Nitrogen, 6 to 6½ per cent, Oil or Fat 7 to 9 per cent, Crude Fibre 8 to 12 per cent," was false and misleading in that it indicated to purchasers thereof and was such as to deceive and mislead purchasers into the belief that the said article contained not less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of nitrogen, 7 per cent of oil or fat, and not more than 12 per cent of crude fiber, when, in truth and in fact, it contained less than 8 per cent of ammonia, 41 per cent of protein, 6 per cent of nitrogen, and 7 per cent of oil or fat, and more than 12 per cent of crude fiber.

On January 2, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$95 and costs.

R. A. PEARSON, *Acting Secretary of Agriculture.*