

5339. Misbranding of cottonseed meal. U. S. * * * v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7815. I. S. No. 19971-1.)

On January 22, 1917, 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 Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 20, 1916, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part, "Imperial Cotto Brand Choice Cotton Seed Meal," which was misbranded.

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

Ether extract (per cent)-----	6.80
Crude fiber (per cent)-----	12.25
Protein (per cent)-----	37.57
Nitrogen (per cent)-----	6.00
Ammonia (per cent)-----	7.30

The result of this examination indicates that the product is low in protein, nitrogen, ammonia, and fat, and high in crude fiber.

Misbranding of the article was alleged in the information for the reason that the statement, to wit:

"Guaranteed Analysis	Not less than
"Ammonia -----	8.00%
"Nitrogen -----	6.50%
"Protein -----	41.00% to 45.00%
"Crude Fat-----	8.00%
"Crude Fiber. (Maximum)-----	9.00%,"

borne on the tags attached to the sacks, regarding the article and the ingredients contained therein, was false and misleading in that it represented that said article contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 6.50 per cent of nitrogen, less than 41 per cent of protein, less than 8 per cent of crude fat, and more than 9 per cent of crude fiber, to wit, approximately 7.30 per cent of ammonia, approximately 6.0 per cent of nitrogen, approximately 37.57 per cent of protein, 6.80 per cent of crude fat, and approximately 12.25 per cent of crude fiber.

On January 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

R. A. PEARSON, Acting Secretary of Agriculture.