

**5972. Misbranding of cottonseed meal and cottonseed feed. U. S. \* \* \***  
**v. Willmont Oil Mills, a corporation. Allegations of the informa-**  
**tion admitted by defendant company. Fine, \$50.** (F. & D. No. 8316.  
 U. S. Nos. 2715-m, 2717-m, 2718-m, 2790-m, 2792-m, 2793-m, 2796-m.)

On August 15, 1917, the United States attorney for the Western District of South Carolina, 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 Willmont Oil Mills, a corporation, Pelzer, S. C., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 19, 1916, October 26, 1916, and October 27, 1916, from the State of South Carolina into the State of North Carolina, of quantities of an article, labeled in part, "Cotton Seed Meal," and on or about December 19, 1916, December 22, 1916, December 28, 1916, January 9, 1917, January 15, 1917, and January 18, 1917, of quantities of an article labeled in part, "Cotton Seed Feed," which was misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results: The three shipments of cottonseed meal showed 6.02 per cent, 5.68 per cent, and 6.05 per cent of ammonia.

The 6 shipments of cottonseed feed showed 31.8 per cent, 30.8 per cent, 32.7 per cent, 32.1 per cent, 30.9 per cent, and 31.3 per cent of protein.

Misbranding of the cottonseed meal in the three shipments on October 19, 1916, October 26, 1916, and October 27, 1917, was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis, Ammonia  $7\frac{1}{2}$  Per Cent," borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than  $7\frac{1}{2}$  per cent of ammonia, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than  $7\frac{1}{2}$  per cent of ammonia, whereas, in truth and in fact, it did not contain  $7\frac{1}{2}$  per cent of ammonia, but did contain a less amount, to wit, 6.02 per cent of ammonia, or 5.68 per cent of ammonia, or 6.05 per cent of ammonia, as the case might be.

Misbranding of the cottonseed feed was alleged for the reason that the statement, to wit, "Guaranteed Protein, (minimum) 36.00 Per Cent," borne on the tags attached to the sacks regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein, whereas, in truth and in fact, it did not contain 36 per cent of protein, but contained a less amount, to wit, 31.8 per cent of protein, or 30.8 per cent of protein, or 32.7 per cent of protein, or 32.1 per cent of protein, or 30.9 per cent of protein, or 31.3 per cent of protein, as the case might be.

On September 11, 1917, the defendant company filed its answer admitting the allegations of the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*