

6608. Misbranding of cottonseed meal or cake. U. S. * * * v. Sherman Oil Mill, a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8076. I. S. No. 19984-1.)

On October 10, 1917, the United States attorney for the Eastern District of Texas, 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 Sherman Oil Mill, a corporation, Sherman, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 31, 1915, from the State of Texas into the State of Michigan, of a quantity of an article labeled in part, "Cottonseed Meal or Cake," which was misbranded.

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

Crude fiber (per cent) _____	10.9
Crude protein (per cent) _____	39.3

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "* * * Guaranteed Analysis Protein 43 to 45% * * * Crude Fibre 9% * * *," 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 43 per cent of protein and not more than 9 per cent of crude fiber; 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 43 per cent of protein, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 43 per cent of protein, and more than 9 per cent of crude fiber, to wit, approximately 39.3 per cent of protein, and approximately 10.9 per cent of crude fiber.

On February 11, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*