

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was low in protein and that it contained a large amount of salt and glass.

Adulteration of the article was alleged in the information in that a substance, to wit, salt, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength. Further adulteration was alleged in that a substance, to wit, salt, had been substituted in part for digestible tankage, meat, and bone, which the article purported to be. Further adulteration was alleged in that the article contained an added deleterious ingredient, to wit, glass, which might render the article injurious to health.

Misbranding of the article was alleged in that the statements on the label of each sack containing the article, regarding the article, were false and misleading in that they represented that the article consisted wholly of tankage, meat, and bone, and contained not less than 32.25 per cent of protein, whereas, in truth and in fact, the article did not consist wholly of tankage, meat, and bone, but was a mixture which consisted in large part of salt, and did contain less than 32.25 per cent protein, to wit, approximately 24.3 per cent of protein. Further misbranding was alleged in that the article was so labeled as to deceive and mislead the purchaser into the belief that the article consisted wholly of tankage, meat, and bone, and contained not less than 32.25 per cent of protein, whereas, in truth and in fact, the article did not consist wholly of tankage, meat, and bone, but contained a large part of salt, and contained less than 32.25 per cent of protein, to wit, approximately 24.3 per cent of protein.

On February 26, 1920, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

8064. Misbranding of cottonseed product. U. S. * * * v. Mangum Cotton Oil Mill Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9659. I. S. No. 20331-m.)

On July 3, 1919, 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 Mangum Cotton Oil Mill Co., Mangum, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about February 2, 1917, from the State of Oklahoma into the State of Kansas, of a certain quantity of an article labeled in part "Cottonseed Cake or Meal * * * 100 Pounds Gross or 99 Pounds Net," which was misbranded.

Examination of the article by the Bureau of Chemistry of this department showed that the average gross weight of 43 sacks was 94.5 pounds.

Misbranding of the article was alleged in the information in that the statement on the tag on the sacks containing the article, regarding the article, to wit, "100 Pounds Gross or 99 Pounds Net," was false and misleading in that it represented that each sack contained 99 pounds of the article, whereas, in truth and in fact, each sack did not contain 99 pounds of the article, but a less amount. Misbranding was alleged further in that the article was so labeled as to deceive and mislead the purchaser into the belief that the sacks contained 99 pounds net of the article, whereas, in truth and in fact, they contained less. Further misbranding was alleged in that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On August 4, 1919, the defendant pleaded guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*