

8067. Adulteration and misbranding of cottonseed meal. U. S. * * * v. John T. Gibbons. Plea of guilty. Fine, \$20. (F. & D. No. 9724. I. S. No. 15493-p.)

On July 2, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John T. Gibbons, New Orleans, La., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 18, 1918, from the State of Louisiana into the State of Mississippi, of a certain quantity of an article labeled in part "Cotton Seed Meal Registered by J. T. Gibbons, New Orleans, La.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained an excessive amount of cottonseed hulls and 2.88 per cent of nitrogen.

Adulteration of the article was alleged in the information in that cottonseed hulls had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that cottonseed hulls had been substituted in whole or in part for cottonseed meal, which the article purported to be.

Misbranding of the article was alleged in that statements on the labels on the sacks containing the article regarding the article, to wit, "Cotton Seed Meal Prime" and "Nitrogen 6.18 Per Cent," were false and misleading in that they represented that the article was cottonseed meal, and that it contained not less than 6.18 per cent of nitrogen, whereas, in truth and in fact, the article was not cottonseed meal, but was a mixture comprising cottonseed hulls, and contained less than 6.18 per cent of nitrogen, to wit, approximately 2.88 per cent of nitrogen. The article was further misbranded in that it was labeled so as to deceive and mislead the purchaser into the belief that the article was cottonseed meal and contained not less than 6.18 per cent of nitrogen, whereas the article was not cottonseed meal but was a mixture comprising cottonseed hulls, and contained less than 6.18 per cent of nitrogen, to wit, 2.88 per cent of nitrogen.

On June 15, 1920, the defendant pleaded guilty to the information, and the court imposed a fine of \$20.

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

8068. Adulteration and misbranding of canned peas. U. S. * * * v. Fall River Canning Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9735. I. S. Nos. 9471-p, 9473-p.)

On May 20, 1919, the United States attorney for the Western District of Wisconsin, 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 Fall River Canning Co., Fall River, Wis., alleging shipment by said defendant, on or about March 21, 1918, in violation of the Food and Drugs Act, from the State of Wisconsin into the State of Minnesota, of certain quantities of an article labeled in part "Fall River Brand Wisconsin Sifted Sweet Peas," "Fifth Ave. Brand Selected Sweet Peas," and "Packed by Fall River Canning Co., Fall River, Wis.," which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was neither sweet nor selected peas, and that it contained considerable foreign matter and was somewhat decomposed.

Adulteration of the article was alleged in the information in that various foreign substances and extraneous material had been mixed and packed with the article, so as to lower and reduce and injuriously affect its quality and strength. Further adulteration was alleged in that various foreign substances and extraneous material had been substituted in part for sifted sweet peas.