9091. Adulteration of milk. U. S. * * * v. Anton Steinmann. Plea of nolo contendere. Fine, $75 and costs. (F. & D. No. 10300. I. S. No. 10480–p.)

On October 9, 1919, the Grand Jurors of the United States within and for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for the district aforesaid an indictment against Anton Steinmann, Aviston, Ill., charging shipment by said defendant, in violation of the Food and Drugs Act, on August 22, 1917, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated. The article was labeled in part, "From Anton Steinmann Station Aviston, Ills."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water and of insoluble foreign matter.

Adulteration of the article was charged in the indictment for the reason that a substance, to wit, added water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be. Adulteration was alleged for the further reason that it consisted in whole or in part of a filthy animal substance.

On October 20, 1920, the defendant entered a plea of nolo contendere to the indictment, and the court imposed a fine of $75 and costs.

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

9092. Misbranding of cottonseed cake. U. S. * * * v. Southland Cotton Oil Co., a Corporation. Plea of guilty. Fine, $100 and costs. (F. & D. No. 11614. I. S. Nos. 10868–r, 10869–r, 10871–r.)

On May 5, 1920, 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 Southland Cotton Oil Co., a corporation, Paris, Tex., and operating a mill at Chandler, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 5, 7, and 17, 1918, from the State of Oklahoma into the State of Kansas, of quantities of cottonseed cake which was misbranded. The article was labeled in part, "100 Pounds Gross * * * Manufactured By Southland Cotton Oil Co., Head Office Paris, Texas."

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 pounds gross," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that each of said filled sacks weighed 100 pounds, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said filled sacks weighed 100 pounds, whereas, in truth and in fact, each of said filled sacks weighed a less amount. Misbranding was alleged for the further reason 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 January 29, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $100 and costs.

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