

at Olney, Ill., alleging that the article had been shipped from St. Louis, Mo., on or about September 27, 1920, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (On barrel) " \* \* \* Owl Brand 47 Cider Vinegar Reduced to 4% acidity, made in St. Louis."

Adulteration of the article was alleged in substance in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed with, and substituted wholly or in part for, the article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statement, "Cider Vinegar," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On February 21, 1921, Marquard F. Braun, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9543. Misbranding of cottonseed meal. U. S. \* \* \* v. Kyle Oil & Gin Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 14349. I. S. No. 24801-r.)**

On May 20, 1921, the United States attorney for the Western 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 Kyle Oil & Gin Co., a corporation, Kyle, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 28, 1920, from the State of Texas into the State of Kansas, of a quantity of cottonseed meal which was misbranded.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 14, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9544. Misbranding of Rabbitfoot Brand cottonseed cake and meal and ordinary cottonseed meal. U. S. \* \* \* v. Kyle Oil & Gin Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 14354. I. S. Nos. 18808-r, 18809-r, 18810-r.)**

On May 25, 1921, the United States attorney for the Western 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 Kyle Oil & Gin Co., a corporation, Kyle, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 8 and January 5, 1920, and December 30, 1919, respectively, from the State of Texas into the State of Kansas, of quantities of cottonseed cake and meal and cottonseed meal which were misbranded.

Analyses of samples from each of the consignments by the Bureau of Chemistry of this department showed that the products contained approximately 39.94 per cent, 40.94 per cent, and 39.65 per cent, respectively, of protein.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis. Protein, not less than 43