

9682. Misbranding of cottonseed cake. U. S. * * * v. Monroe Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9817. I. S. No. 8965-p.)

On January 28, 1919, the United States attorney for the Western 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 the Monroe Cotton Oil Co., a corporation, having a place of business at Monroe, La., alleging shipment by said company, on or about March 9, 1918, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Kansas, of a quantity of unlabeled cottonseed cake, invoiced as "Supreme Brand Cracked Screened Cake," 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 October 18, 1920, 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.

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

9683. Misbranding of Butterfat dairy feed and Lookout dairy feed. U. S. * * * v. Monarch Mills, a Corporation. Plea of guilty. Fine, \$125 and costs. (F. & D. No. 9890. I. S. Nos. 10504-r, 10505-r.)

On September 14, 1920, the United States attorney for the Eastern District of Tennessee, 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 Monarch Mills, a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 26, 1918, from the State of Tennessee into the State of Alabama, of quantities of articles labeled, respectively, "Butterfat Dairy Feed" and "Lookout Dairy Feed," which articles were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Butterfat dairy feed contained 22.63 per cent of protein, 4.41 per cent of fat, and 18.56 per cent of crude fiber, and that the Lookout dairy feed contained 16.88 per cent of protein and 3.03 per cent of fat.

Misbranding of the articles was alleged in the information for the reason that the statements, to wit, (Butterfat dairy feed) "Protein 26 per cent Fat 05 per cent Fibre 15 per cent," (Lookout dairy feed) "Protein 20 per cent Fat 04 per cent," borne on the tags attached to the sacks containing the articles, regarding the articles and the ingredients and substances contained therein, were false and misleading in that they represented that the articles contained not less than 26 per cent of protein, not less than 5 per cent of fat, and not more than 15 per cent of fiber or not less than 20 per cent of protein and not less than 4 per cent of fat, as the case might be, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 26 per cent of protein, not less than 5 per cent of fat, and not more than 15 per cent of fiber or not less than 20 per cent of protein and not less than 4 per cent of fat, as the case might be. whereas, in truth and in fact, the Butterfat dairy feed contained less than 26 per cent of protein, less than 5 per cent of fat, and more than 15 per cent of fiber, and the Lookout dairy feed contained less than 20 per cent of protein and less than 4 per cent of fat.

On November 9, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$125 and costs.

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