

said company, in violation of the Food and Drugs Act, on or about December 25, 1919, and February 8, 1920, respectively, from the State of Illinois into the State of Michigan, of quantities of Pansy little chick feed which was misbranded.

Analyses of samples of the article from each shipment by the Bureau of Chemistry of this department showed that it contained approximately 5 per cent of weed seeds.

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Not To Exceed 1-2 of 1% Miscellaneous Wild Seeds," borne on the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not more than one-half of 1 per cent of miscellaneous wild seeds, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not more than one-half of 1 per cent of miscellaneous wild seeds, whereas, in truth and in fact, it contained more than one-half of 1 per cent of miscellaneous wild seeds.

On May 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and on July 1, 1921, the court imposed a fine of \$100. and costs.

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

9829. Misbranding of cottonseed meal and cake. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 13914. I. S. No. 18802-r.)

On January 31, 1921, the United States attorney for the Western District of Arkansas, 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 Osage Cotton Oil Co., a corporation, trading at Mulberry, Ark., alleging shipment by said company, on or about December 6, 1919, in violation of the Food and Drugs Act, as amended, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal and cake which were misbranded.

Examination by the Bureau of Chemistry of this department of 67 sacks from the consignment showed an average gross weight of 97.11 pounds and an average net weight of 96.49 pounds.

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "100 Pounds Gross 99 Lbs. Net," borne on the tags attached to the sacks containing the articles, regarding the articles, was false and misleading in that it represented that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the respective articles, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said sacks weighed 100 pounds gross and contained 99 pounds net of the respective articles, whereas, in truth and in fact, each of the sacks did not weigh 100 pounds gross but did weigh a less amount, and each of the said sacks did not contain 99 pounds net of the respective articles, but did contain a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 17, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

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