

10420. Adulteration and misbranding of cottonseed meal. U. S. * * * v. Buckeye Cotton Oil Co., a Corporation. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. No. 13925. I. S. No. 11080-r.)

On January 25, 1921, the United States attorney for the Northern District of Mississippi, 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 Buckeye Cotton Oil Co., a corporation, doing business at Greenwood, Miss., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 20, 1919, from the State of Mississippi into the State of Michigan, of a quantity of an article labeled in part, "Buckeye Good Cottonseed Meal Manufactured By The Buckeye Cotton Oil Co. General Offices, Cincinnati, Ohio," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of 34.96 per cent of protein, 6.79 per cent of ammonia and approximately 30 per cent of cottonseed hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for cottonseed meal, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Cottonseed Meal" and "Guarantee Protein 36.00% * * * Ammonia 7.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article consisted wholly of cottonseed meal and contained not less than 36 per cent of protein and not less than 7 per cent of ammonia, and for the further reason that said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of cottonseed meal and contained not less than 36 per cent of protein and not less than 7 per cent of ammonia, whereas, in truth and in fact, it did not consist wholly of cottonseed meal but did consist in part of added cottonseed hulls and contained less than 36 per cent of protein and less than 7 per cent of ammonia, to wit, 34.96 per cent of protein and 6.79 per cent of ammonia.

On October 20, 1921, a plea of nolo contendere 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.*

10421. Misbranding of cottonseed cake or meal. U. S. * * * v. Chickasha Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 15991. I. S. No. 11653-t.)

On March 21, 1922, 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 Chickasha Cotton Oil Co., a corporation, doing business at Altus, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 25, 1920, from the State of Oklahoma into the State of Kansas, of a quantity of an article labeled in part "'Chickasha Quality' Cottonseed Cake or Meal," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ether extract (crude fat)-----	6.21
Crude fiber-----	12.25
Crude protein-----	41.28
Nitrogen-----	6.60
Ammonia-----	8.02

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "* * * Guaranteed Analysis. Ammonia, not less than 8½ to 8¾ per cent. Protein, not less than 43 to 45 per cent. Crude Fat, not less than 7 to 9 per cent. Crude Fibre, not more than 9 to 11 per cent.," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 8½ per cent of ammonia, not less than 43 per cent of protein, not less than 7 per cent of crude

fat, and not more than 11 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than $8\frac{1}{4}$ per cent of ammonia, not less than 43 per cent of protein, not less than 7 per cent of crude fat, and not more than 11 per cent of crude fiber, whereas, in truth and in fact, said article contained less than $8\frac{1}{4}$ per cent of ammonia, less than 43 per cent of protein, less than 7 per cent of crude fat, and more than 11 per cent of crude fiber, to wit, approximately 8 per cent of ammonia, 41.28 per cent of protein, 6.21 per cent of crude fat, and 12.25 per cent of crude fiber.

On May 24, 1922, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

10422. Adulteration of shell eggs. U. S. * * * v. William O. Crow (Custer City Produce Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 16019. I. S. No. 18206-t.)

On April 10, 1922, 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 William O. Crow, trading as the Custer City Produce Co., Custer City, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 23, 1921, from the State of Oklahoma into the State of Texas, of an article of food, to wit, shell eggs, which was adulterated.

Examination, by the Bureau of Chemistry of this department, of a sample of the article, consisting of 360 eggs from each of the 3 cases examined, showed the presence of 189, or 17.5 per cent, inedible eggs, consisting of 66 mixed or white rots, 92 blood rings, 29 blood rots, and 2 chick rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 13, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

10423. Adulteration of shell eggs. U. S. * * * v. Elmer L. Kenison (E. L. Kenison Produce Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 16008. I. S. No. 2008-t.)

On April 7, 1922, 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 Elmer L. Kenison, trading as the E. L. Kenison Produce Co., Longdale, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 21, 1921, from the State of Oklahoma into the State of Kansas, of a quantity of an article of food, to wit, shell eggs, which was adulterated.

Examination of a sample of the article, consisting of all the eggs in 14 cases, or 5,040 eggs, by the Bureau of Chemistry of this department, showed the presence of 16 black rots, 240 mixed or white rots, 12 moldy eggs, 24 spot rots, and 132 blood rings, a total of 424 inedible eggs, or 8.4 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 10, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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

10424. Misbranding of strawberries. U. S. * * * v. Richard T. Lewis et al. (Humboldt Fruit Growers' Assoc.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 15435. I. S. Nos. 111-t, 6014-t.)

On January 10, 1922, the United States attorney for the Western 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 Richard T. Lewis, Milton J. Hamilton, John E. Matthews, and Dee W. Senter, trading as the Humboldt Fruit Growers' Assoc., Humboldt, Tenn., alleging shipment by said defendants, on or about May 7 and 11, 1921, respectively, in violation of the Food and Drugs Act, as amended, from the State of Tennessee into the States of Illinois and New York, respectively, of quantities of strawberries in crates, which were misbranded. The crates bore no label or statement relative to contents, weight, or measure.