chaser into the belief that the bottles contained 2 fluid ounces of the article, whereas each of said bottles did not contain 2 fluid ounces but did contain 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 December 31, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

W. M. JARDINE, *Secretary of Agriculture.*

12940. Misbranding of flour. U. S. v. 90 Sacks of Flour. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18985. I. S. No. 16523–v. S. No. E–4942.)

On or about September 30, 1924, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 90 sacks of flour, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Sterling Mills, Inc., from Statesville, N. C., August 26, 1924, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "When Packed 12 Lbs. Famous Self-Rising * * * Artificially Bleached * * * Sterling Mills Inc. Statesville, N. C."

Misbranding of the article was alleged in the libel for the reason that the statement "When Packed 12 Lbs.," appearing on the sacks containing the article, was false and misleading and deceived and misled the purchaser, and 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 6, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

12941. Misbranding of cottonseed feed. U. S. v. Planters Cotton Oil Co., a Corporation. Plea of guilty. Fine, $50. (F. & D. No. 18575. I. S. No. 23452–t.)

At the November, 1924, term of the United States District Court within and for the Southern District of Georgia, the United States attorney for the said district, acting upon a report by the Secretary of Agriculture, filed in the District Court an information against the Planters Cotton Oil Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about February 6, 1923, from the State of Georgia into the State of Massachusetts, of a quantity of cottonseed feed which was misbranded. The article was labeled in part: "Danish Brand Cotton Seed Feed Guaranteed Analysis Protein 36.00% Equivalent Nitrogen 5.75%."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 5.41 per cent of nitrogen, equivalent to 33.81 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 36% Equivalent Nitrogen 5.75%," borne on the tags attached to the sacks containing the article, was false and misleading, in that the said statement represented that the article contained not less than 36 per cent of protein, equivalent to 5.75 per cent of nitrogen, 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 less than 36 per cent of protein, equivalent to 5.75 per cent of nitrogen, whereas the said article contained less than 36 per cent of protein, to wit, 33.81 per cent of protein, equivalent to 5.41 per cent of nitrogen.

On November 22, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

W. M. JARDINE, *Secretary of Agriculture.*

12942. Misbranding of olive oil. U. S. v. Nathan Goodman and Hyman Goodman (N. Goodman & Son). Pleas of guilty. Fine, $30. (F. & D. No. 16410. I. S. Nos. 6268–t, 15478–t, 15479–t.)

On October 4, 1922, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the