

protein and fat than so represented, namely, 12.56 per cent of protein and 3.17 per cent of fat.

On February 2, 1926, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5 and costs against each defendant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14188. Adulteration and misbranding of feeds. U. S. v. Ernest F. Schreiber and Corydon T. Schreiber. Pleas of guilty. Fine, \$20 and costs. (F. & D. No. 17922. I. S. Nos. 6514-v, 6526-v.)

On March 31, 1924, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ernest F. Schreiber and Corydon T. Schreiber, formerly copartners, trading as Schreiber Flour & Cereal Co., Kansas City, Mo., alleging shipment by said defendants, in violation of the food and drugs act, in two shipments, on or about August 9, 1922, and September 6, 1922, respectively, from the State of Missouri into the State of Arkansas, of quantities of feeds which were adulterated and misbranded. The consignment of August 9, 1922, was labeled in part: (Tag) "Wheat Shorts and Screenings * * * Ingredients: Wheat Shorts, Screenings with Bran Siftings not to exceed 8% Manufactured By Schreiber Flour & Cereal Co. Kansas City, Missouri." The consignment of September 6, 1922, was labeled in part: (Tag) "Flour Middlings & Screenings * * * Ingredients: Wheat Shorts, Low Grade Flour, Wheat Mixed Feed with Maximum 8% Wheat Segs. Manufactured By Schreiber Flour & Cereal Co. Kansas City, Mo."

Adulteration of each consignment was alleged in the information for the reason that an article which contained ground wheat bran and corn meal, and which contained little, if any, wheat shorts, had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Wheat Shorts and Screenings * * * Ingredients: Wheat Shorts, Screenings with Bran Siftings not to exceed 8%," borne on the labels of the consignment of August 9, 1922, and the statements, to wit, "Flour Middlings & Screenings * * * Ingredients: Wheat Shorts, Low Grade Flour, Wheat Mixed Feed with Maximum 8% Wheat Segs.," borne on the labels of the consignment of September 6, 1922, were false and misleading, in that the said statements represented that the former consisted of wheat shorts and screenings, with bran siftings not to exceed 8 per cent, and that the latter was composed of flour middlings and screenings, wheat shorts, low grade flour, and wheat mixed feed with a maximum of 8 per cent wheat screenings, 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 the said declared ingredients, whereas they were not so composed but were composed in part of a product which contained ground wheat bran and corn meal, and which contained little, if any, wheat shorts.

On February 2, 1926, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$10 and costs against each defendant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14189. Misbranding of cottonseed meal. U. S. v. South Texas Cotton Oil Co. Plea of guilty. Fine, \$25. (F. & D. No. 19655. I. S. Nos. 2469-v, 2470-v.)

On August 13, 1925, the United States attorney for the Southern 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 South Texas Cotton Oil Co., a corporation, Victoria, Tex., alleging shipment by said defendant, in violation of the food and drugs act, in two consignments, on or about August 15 and 19, 1924, respectively, from the State of Texas into the State of New York, of quantities of cottonseed meal which was misbranded. The shipment of August 15, 1924, was labeled in part: (Tag) "100 Lbs. Net * * * Cotton Seed Meal * * * Guaranteed Analysis Ammonia 8.37% Protein 43.00% * * * Nitrogen 6.88% Fibre 10.00%." The shipment of August 19, 1924, was labeled in part: (Sack) "100 Pounds (Net) 43% Protein Cotton Seed Meal Prime Quality Manufactured by South Texas Cotton Oil Company Victoria, Texas. Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per Cent."

Examination by the Bureau of Chemistry of this department of 50 sacks from the shipment of August 15 showed an average net weight of 97.39 pounds.

Misbranding of the articles was alleged in substance in the information for the reason that the statements, to wit, "Guaranteed Analysis Ammonia 8.37% Protein 43.00% * * * Nitrogen 6.88% Fibre 10.00%" and "100 Lbs. Net," borne on the tags attached to the sacks containing the product shipped August 15, 1924, and the statements, "43% Protein Cotton Seed Meal * * * Guaranteed Analysis: Crude Protein not less than 43.00 Per Cent * * * Crude Fiber not more than 12.00 Per cent" and "100 Pounds (Net)," borne on the labeling of the remaining shipment, were false and misleading, in that the said statements represented that the article contained ammonia, protein, nitrogen, and fiber, in the percentages declared on the labels, and that the sacks in the shipment of August 15 contained 100 pounds of the said article, 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 the said ingredients in the percentages declared on the labels, and that the sacks contained 100 pounds of the article, whereas the article did not contain the said ingredients in the percentages declared in that the product consigned August 15, 1924, contained 7.64 per cent of ammonia, approximately 39.26 per cent of protein, 6.29 per cent of nitrogen, and approximately 14.55 per cent of fiber, and the product consigned August 19, 1924, contained approximately 38.53 per cent of crude protein and approximately 13.92 per cent of crude fiber, and the sacks in the shipment of August 15 did not contain 100 pounds net of the article but did contain a less amount.

Misbranding was alleged with respect to the product shipped August 15 for the further 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 February 23, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14190. Misbranding of meat scraps. U. S. v. 82 Sacks of Meat Scraps. Decree finding product misbranded and ordering its release. (F. & D. No. 20768. I. S. No. 9582-x. S. No. W-1843.)

On January 15, 1926, the United States attorney for the District of Utah, 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 82 sacks of meat scraps, remaining in the original unbroken packages at Ogden, Utah, alleging that the article had been shipped by the Colorado Animal By-Products Co., from Denver, Colo., on or about September 25, 1925, and transported from the State of Colorado into the State of Utah, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Golden Brand Meat Straps, Protein 50 per cent."

Misbranding of the article was alleged in the libel for the reason that the statement "Protein 50 per cent," borne on the label, was false and misleading and deceived and misled the purchaser, in that the product was deficient in protein.

On February 15, 1926, the Colorado Animal By-Products Co., Denver, Colo., having appeared as claimant for the property and having admitted the allegations of the libel, an order was entered, providing for release of the product, the product to be relabeled under the supervision of this department upon the execution of a bond in the sum of \$500, in conformity with section 10 of the act. On April 1, 1926, the claimant having paid the costs of the proceedings and the product having been relabeled to show the correct protein content, a decree was entered by the court, adjudging the product to be misbranded and ordering that it be released from the operation of the libel and the bond exonerated.

C. F. MARVIN, *Acting Secretary of Agriculture.*

14191. Misbranding of Sirup of Ambrozoin. U. S. v. 23 Bottles of Sirup of Ambrozoin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20514. I. S. No. 1225-x. S. No. C-4839.)

On October 20, 1925, the United States attorney for the Eastern District of Wisconsin, 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