

contained not less than 43 per cent of crude protein, and that each of the sacks contained 100 pounds net 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 not less than 43 per cent of protein and not less than 43 per cent of crude protein, and that each sack contained 100 pounds net of the article, whereas it contained less than 43 per cent of protein, less than 43 per cent of crude protein, and the said sacks contained less than 100 pounds net of the article. 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 March 29, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

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

14469. Misbranding of cottonseed cake. U. S. v. Wichita Falls Cotton Oil Co. Plea of guilty. Fine, \$250. (F. & D. No. 19656. I. S. No. 23033-v.)

On June 15, 1925, the United States attorney for the Northern 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 Wichita Falls Cotton Oil Co., a corporation, Wichita Falls, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about October 13, 1924, from the State of Texas into the State of Oklahoma, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: (Tag) "100 Pounds (Net) * * * Cottonseed Cake Prime Quality Manufactured By Wichita Falls Cotton Oil Company Wichita Falls, Texas."

Examination by the Bureau of Chemistry of this department of 32 sacks of the article from the shipment showed an average net weight of 97.4 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tags attached to the sacks containing the said article, was false and misleading, in that the said statement represented that each sack contained 100 pounds net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said sacks contained 100 pounds net of the said article, whereas they did not 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 November 17, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250.

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

14470. Misbranding of cottonseed cake. U. S. v. Commerce Oil Mill Co. Plea of guilty. Fine, \$50. (F. & D. No. 19683. I. S. No. 23876-v.)

On September 30, 1925, the United States attorney for the Northern 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 Commerce Oil Mill Co., a corporation, Commerce, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about December 6, 1924, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake which was misbranded. The article was labeled in part: "100 Pounds (Net) * * * Cottonseed Cake Prime Quality Manufactured by Commerce Oil Mill Company, Commerce, Texas."

Examination by the Bureau of Chemistry of this department of 20 sacks of the article from the shipment showed an average net weight of 97.61 pounds.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "100 Pounds (Net)," borne on the tag attached to each of the sacks containing the said article, was false and misleading, in that the said statement represented that each sack contained 100 pounds of cottonseed cake, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each sack contained 100 pounds of cottonseed cake, whereas the said sacks did not each contain 100 pounds of the article, but did contain in each of a number of said sacks less than 100 pounds. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the