

and drugs act, as amended, on or about September 12, 1930, from the State of Nebraska into the State of Illinois, of quantities of corn flour that was adulterated and misbranded. The article was labeled in part: (Barrel) "The Independent Casing & Supply Co. Special Hereford Flour Chicago, U. S. A."

It was alleged in the information that the article was adulterated in that it consisted in part of a filthy animal substance.

Misbranding was alleged for the 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 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19531. Misbranding of peanut butter. U. S. v. Commercial Creamery Co. Plea of guilty. Fine, \$25. (F. & D. No. 26693. I. S. No. 12544.)**

Sample cans of peanut butter from the shipment herein described having been found to contain less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Washington.

On October 26, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Commercial Creamery Co., a corporation, Spokane, Wash., alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 21, 1931, from the State of Washington into the State of Idaho, of a quantity of peanut butter that was misbranded. The article was labeled in part: (Can) "Net Weight 1 Pound Eatsum Brand Peanut Butter \* \* \* Manufactured by Commercial Creamery Company, Spokane, Wash."

It was alleged in the information that the article was misbranded in that the statement "Net Weight 1 Pound," borne on the cans containing the said article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the said cans contained less than 1 pound 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, since the cans contained less than represented.

On April 13, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19532. Misbranding of cottonseed meal. U. S. v. International Vegetable Oil Co. Plea of guilty. Fine, \$100. (F. & D. No. 26573. I. S. Nos. 8828, 9675.)**

This action was based on the interstate shipment of quantities of cottonseed meal which was found upon analysis to contain less protein and more fiber than was declared on the labels.

On September 8, 1931, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the International Vegetable Oil Co., a corporation, trading at Augusta, Ga., alleging shipment by said company, on or about September 15, 1930, from the State of Georgia into the State of New York, of two lots of cottonseed meal that was misbranded in violation of the food and drugs act. The article was labeled in part: (Tag) "Cottonseed Meal \* \* \* Min. Protein 41.12% \* \* \* Max. Crude Fibre 10.00%."

It was alleged in the information that the article was misbranded in that the statements, "Guaranteed Analysis Min. Protein 41.12% \* \* \* Max. Crude Fibre 10.00%" and "41% Protein," borne on the tag, were false and misleading; and for the further reason that the article was so labeled as to deceive and mislead the purchaser; since the product in one lot contained not more than 37.65 per cent of protein and not less than 14.94 per cent of crude fiber, and in the other lot not more than 38.20 per cent of protein and not less than 11.42 per cent of crude fiber.

On March 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*