

than 10 percent had been substituted for the substance which the product purported to be, namely, meat scrap.

Misbranding of the product was charged (a) under the allegations that the tags attached to the sacks bore the statements, to wit, "55% * * * Meat Scrap Guaranteed Analysis Protein 55% Min. * * * Fibre 2% Max. Total Phos. Acid 10% Max."; that the protein content of the product was less than 55 percent, the fiber content was more than 2 percent, and the phosphoric acid content was more than 10 percent; that the aforesaid statements borne on the label of the product were false and misleading; (b) under the allegation that the aforesaid statements were borne on the label so as to deceive and mislead the purchaser; (c) under the allegation that the product was offered for sale under the distinctive name of another article, namely, meat scrap.

On January 21, 1936, a plea of nolo contendere having been entered, a fine of \$12.50 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25601. Misbranding of cottonseed cake. U. S. v. Southland Cotton Oil Co., a corporation. Plea of guilty. Fine, \$150. (F. & D. no. 36069. Sample nos. 33021-B, 33022-B, 33023-B.)

The label of this article bore an incorrect statement as to the percentage of protein contained therein.

On January 6, 1936, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Southland Cotton Oil Co., a corporation, Waxahachie, Tex., alleging shipment in violation of the Food and Drugs Act as amended, on or about August 12, 1935, from Waxahachie, Tex., to Wichita Falls, Kans., of quantities of cottonseed cake that was misbranded. The article was labeled in part: (Sack and sack tag) "Net 43% Protein Cottonseed Cake or Meal Prime Quality Manufactured by Southland Cotton Oil Co., Waxahachie, Texas Guaranteed Analysis Crude Protein (not less than) 43%."

Misbranding of the article was charged (a) under the allegations that the tags attached to the sacks bore the statements, to wit, "43% Protein", and "Guaranteed Analysis: Crude Protein (not less than) 43%", that the protein contained in said article was less than 43 percent; that the aforesaid statements were false and misleading, and (b) under the allegation that the said statements were borne on said tags so as to deceive and mislead the purchaser.

On February 18, 1936, a plea of guilty having been entered, a fine of \$150 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25602. Adulteration of frozen poultry. U. S. v. S. K. Produce Co., a corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. no. 36074. Sample no. 39933-B.)

A decomposed animal substance, portions of animals unfit for food and products of diseased animals were found in this shipment of poultry.

On December 9, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the S. K. Produce Co., a corporation, Chicago, Ill., alleging shipment by it, in violation of the Food and Drugs Act, as amended, on or about July 19, 1935, from Chicago, Ill., to Baltimore, Md., of quantities of poultry that was adulterated. The product was labeled in part: (Barrels) "Bennett Food Co. Baltimore, Md. % Merchants Storage Corp."

Adulteration of the product was charged (a) under the allegation that it consisted in part of a filthy, decomposed, and putrid animal substance; (b) under the allegation that it consisted in part of portions of animals unfit for food; and (c) under the allegation that it was in part a product of diseased animals.

On February 5, 1936, a plea of guilty having been entered, a fine of \$10 and costs was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25603. Adulteration of tomato puree. U. S. v. 94 Cans of Tomato Puree. Default decree of condemnation and destruction. (F. & D. no. 36100. Sample no. 33175-B.)

This case involved canned tomato puree that contained filth resulting from worm and insect infestation.