

solutely pure. Recommended for cooking, table and medicinal use," "Quest' Olio d'Oliva e garantito assolutamente pure. E' raccomandato per uso da tavola, cucina e per uso medicinale," and "Pure imported olive oil," together with the design of an Italian landscape and tree bearing olives, borne on the cans, were false and misleading and were borne on the said cans so as to deceive and mislead the purchaser since they represented that the article was pure olive oil imported from Italy, whereas it was not pure olive oil imported from Italy but was an artificially colored and flavored mixture composed in part of oil other than olive oil not imported from Italy; and in that it was an artificially colored and flavored mixture composed in part of oil other than pure imported oil prepared in imitation of pure imported olive oil, and was offered for sale and sold under the distinctive name of another article."

On December 21, 1937, a plea of nolo contendere was entered by the defendant and he was sentenced to pay a fine of \$40.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28448. Misbranding of cottonseed meal. U. S. v. Delta Products Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 39767. Sample No. 660-C.)

This product contained a smaller proportion of protein than that declared on the label.

On September 14, 1937, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Delta Products Co., a corporation, Evadale, Ark., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 11, 1937, from the State of Arkansas into the State of Kansas, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: (Tag) "Dixie Brand Cotton Seed Meal * * * Guaranteed by Humphreys-Godwin Co. Memphis, Tenn."

It was alleged to be misbranded in that the statements on the tag, "41% Protein" and "Min. Protein 41.00%," were false and misleading, and were borne on the tags so as to deceive and mislead the purchaser since it contained less than 41 percent of protein.

On November 22, 1937, a plea of guilty was entered and the defendant was sentenced to pay a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28449. Misbranding of cottonseed meal. U. S. v. Southland Cotton Oil Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 39777. Sample Nos. 658-C, 659-C.)

This product contained a smaller proportion of protein than that declared on the label.

On September 30, 1937, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Southland Cotton Oil Co., a corporation, trading at Oklahoma City, Okla., alleging shipment by said company in violation of the Food and Drugs Act, on or about February 16, 1937, from the State of Oklahoma into the State of Kansas, of quantities of cottonseed meal which was misbranded. The article was labeled in part: (Tags) "Southland's Cottonseed Cake and Meal * * * Southland Cotton Oil Company Head Office Paris, Texas."

It was alleged to be misbranded in that the statement on the tags, "Crude Protein, not less than 43%," was false and misleading and was borne on the tags so as to deceive and mislead the purchaser since it contained less than 43 percent, namely, not more than 39.13 percent in the case of one lot, and 38.69 percent in the case of the remaining lot, of crude protein.

On September 22, 1937, a plea of guilty was entered and the defendant was sentenced to pay a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28450. Adulteration and misbranding of tomato paste. U. S. v. The H. J. McGrath Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 39785. Sample Nos. 28483-C, 35229-C.)

This product was deficient in tomato solids, and its label bore false and misleading representations that it was a foreign product. One lot contained excessive mold.

On October 21, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an