3447. Adulteration and misbranding of bran. U. S. v. Springfield Milling Co. Plea of guilty. Fine, $15. (F. & D. No. 5426. I. S. No. 1980-e.)

On May 12, 1914, the United States attorney for the District of Minnesota, 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 Springfield Milling Co., a corporation, Springfield, Minn., alleging shipment by said company in violation of the Food and Drugs Act, on or about October 5, 1912, from the State of Minnesota into the State of Illinois, of a quantity of bran which was adulterated and misbranded. The product was labeled: "For drawback Springfield Milling Co. Standard Brand Crude Protein 13.75% Crude fat 4.60% Crude Fiber 10.70% Springfield, Minn."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results: Total foreign material, 3.04 per cent; composed largely of added screenings.

Adulteration of the product was alleged in the information for the reason that a substance other than bran, namely, screenings, had been substituted in part for the article, and, further, in that a substance, namely, screenings, had been mixed and packed with said article so as to reduce, lower, or injuriously affect its quality or strength. Misbranding was alleged for the reason that the statement "Standard Bran," borne on each of the packages, was false and misleading because, as a matter of fact, said article was not composed entirely of bran, but contained, in addition to bran, approximately 3 per cent of screenings, and, further, in that said article was labeled and branded so as to deceive and mislead the purchaser into the belief that it was composed entirely of bran, whereas, in truth and in fact, said article was not composed entirely of bran, but was composed in part of screenings, which had been added to said bran.

On May 12, 1914, the defendant company entered a plea of guilty to the information and the court imposed a fine of $15.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3448. Adulteration of scallops. U. S. v. R. R. Higgins Co. Plea of nolo contendere. Fine, $25. (F. & D. No. 5428. I. S. No. 24301-e.)

On April 30, 1914, the United States attorney for the District of Massachusetts, 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 R. R. Higgins Co., a corporation, Boston, Mass., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 24, 1913, from the State of Massachusetts into the State of Maine, of a quantity of scallops which were adulterated. The product was labeled: "2 gal. Cape Scallops for Geo. C. Shaw Co. Preble St. Portland, Maine, from R. R. Higgins Co., Wholesale Dealers and Planters of Oysters, Clams, Quahaugs, Scallops, Lobsters, 142 & 144 Atlantic Ave., Boston, Mass."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed it to carry 14.32 per cent free liquids and the drained scallops to carry 13.70 per cent solids.

Adulteration of the product was alleged in the information, for the reason that a substance, namely, water, had been mixed and packed with the article so as to reduce, lower, or injuriously affect its quality or strength.

On May 12, 1914, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of $25.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*