

too willing, running along and injecting something into the case that nobody seemed to care anything about and which they were asked no questions about. You will consider the testimony of each witness as to whether it appears to be unlikely, unreasonable or improbable, and as to whether it is corroborated by other evidence where you would expect it to be corroborated if true, or whether it is contradicted by other evidence. You will also take into consideration the situation in which each witness was placed as to enabling that witness to know the exact facts; as one witness might be much better situated and located to know what the facts were than another witness who was just as anxious to tell the truth. You will also take into account the interest that each witness has in the case, as shown by his manner of testifying or his relation to the case. The defendants having taken the stand in their own behalf, you will weigh their testimony by the same rules as that of other witnesses, including their natural interest in the case.

The jury thereupon retired and after due deliberation returned a verdict of not guilty.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6875. Adulteration and misbranding of Dolomel-Calomel and Dolomel-Iodoform. U. S. * * * v. Pulvola Chemical Co., a corporation, Plea of guilty. Fine, \$25. (F. & D. No. 9231. I. S. Nos. 3913-p, 3914-p.)

On November 14, 1918, the United States attorney for the District of New Jersey, 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 Pulvola Chemical Co., a corporation, Jersey City, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 21, 1918, from the State of New Jersey into the State of New York, of quantities of articles, labeled in part "Dolomel-Calomel," and "Dolomel-Iodoform," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the Dolomel-Calomel contained 10.99 per cent of calomel, and that the Dolomel-Iodoform contained 7.09 per cent of iodoform.

Adulteration of Dolomel-Calomel was alleged in the information for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was sold as a product which contained 25 per cent of calomel, whereas, in truth and in fact, it contained less than 25 per cent of calomel, to wit, approximately 10.99 per cent of calomel.

Misbranding of the article was alleged for the reason that the statement, to wit, "Calomel 25 Per Cent," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 25 per cent of calomel, whereas, in truth and in fact, it contained less than 25 per cent of calomel, to wit, approximately 10.99 per cent of calomel.

Adulteration of Dolomel-Iodoform was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold in that it was sold as a product which contained not less than 10 per cent of iodoform, whereas, in truth and in fact, it contained less than 10 per cent of iodoform, to wit, approximately 7.09 per cent of iodoform.

Misbranding of the article was alleged for the reason that the statement, to wit, "Iodoform * * * 10 Per Cent," borne on the labels attached to the cans, was false and misleading, in that it represented that the article contained not less than 10 per cent of iodoform, whereas, in truth and in fact, it contained less than 10 per cent of iodoform, to wit, approximately 7.09 per cent of iodoform.

On December 2, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6876. Misbranding of cottonseed meal or cake. U. S. * * * v. Hollis Cotton Oil, Light & Ice Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 9345. I. S. Nos. 19738-m, 19739-m, 19740-m.)

On January 18, 1918, the United States attorney for the Western District of Oklahoma, 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 Hollis Cotton Oil, Light & Ice Co., a corporation, Hollis, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 23, 1916, December 26, 1916, and January 4, 1917, from the State of Oklahoma into the State of Kansas, of quantities of an article, labeled in part "Cotton Seed Meal or Cake," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

Determination.	Shipment of--		
	Nov. 23, 1916.	Dec. 26, 1916.	Jan. 4, 1917.
Ether extract (crude fat).....	<i>Per cent.</i> 5 35	<i>Per cent.</i> 5.23	<i>Per cent.</i> 5.40
Crude fiber.....	12 23	11.0	11.87
Crude protein.....	37.50	38.4	37.06

Misbranding of the article in the shipment on November 23, 1916, was alleged in the information for the reason that the statement, to wit, "* * * chemical analysis: Crude Protein not less than 43 per cent Crude Fat not less than 6 per cent Crude Fibre not more than 9 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of crude protein, not less than 6 per cent of crude fat, and not more than 9 per cent of crude fiber, 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 crude protein, not less than 6 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 43 per cent of crude protein, less than 6 per cent of crude fat, and contained more than 9 per cent of crude fiber, to wit, approximately 37.50 per cent of crude protein, approximately 5.35 per cent of crude fat, and approximately 12.23 per cent of crude fiber.

Misbranding of the article in the shipment on December 26, 1916, was alleged for the reason that the statement, to wit, "* * * chemical analysis: Crude Protein not less than 43 per cent Crude Fat not less than 7 per cent Crude Fibre not more than 9 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 43 per cent of crude protein, not less than 7 per cent of crude fat, and not more than 9 per cent of crude fiber, 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 crude protein, not less than 7 per cent of crude fat, and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 43 per cent of crude protein, less than 7 per cent of crude fat, and contained more than 9 per cent of crude fiber, to wit, approximately