

**5729. Misbranding of cottonseed meal or cake. U. S. \* \* \* v. Southern Cotton Oil Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7986. I. S. No. 16079-1.)**

On March 2, 1917, the United States attorney for the Eastern District of Arkansas, 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 Southern Cotton Oil Co., a corporation, doing business at Little Rock, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 18, 1916, from the State of Arkansas into the State of Iowa, of a quantity of an article labeled in part, "Silo Brand Cotton Seed Meal or Cake," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Protein (Nitrogen x 6.25) (per cent)----- 36.6

The above result shows that the product contained less protein than was declared upon the label.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the articles and the ingredients and substances contained therein, appearing on the label, to wit, "protein 38.62—43 per cent," was false and misleading in that it represented to purchasers that the article contained from 38.62 per cent to 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into believing that it contained 38.62 to 43 per cent of protein when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 36.6 per cent.

On April 27, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

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