

District Court of the United States for said district an information against the Humphreys-Godwin Co., a corporation, trading at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 19 and 20, 1915, respectively, from the State of Tennessee into the State of Indiana, of quantities of cottonseed meal which was misbranded.

Analysis of a sample of the article from each of the consignments by the Bureau of Chemistry of this department showed that it contained 37.69 per cent and 36.69 per cent, respectively, of protein.

Misbranding of the article was alleged in the information for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the labels of the sacks containing the said article, to wit, "* * * Humphreys, Godwin Company, of Memphis, Tenn., Guarantees this Dixie Brand Cottonseed Meal to contain not less than * * * 41.0 per cent of crude protein * * *," was false and misleading in that the said statement indicated to purchasers thereof that the said article contained not less than 41 per cent of crude protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the said article contained not less than 41 per cent of crude protein, when, in truth and in fact, the article involved in the said consignments did contain less than 41 per cent of crude protein, to wit, 37.69 per cent and 36.69 per cent, respectively, of protein.

On October 5, 1921, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9921. Misbranding of cottonseed meal. U. S. * * * v. Humphreys-Godwin Co., and Union Seed & Fertilizer Co., Corporations. Plea of nolo contendere by Humphreys-Godwin Co. Fine, \$25 and costs. Plea of guilty by Union Seed & Fertilizer Co. Fine, \$100 and costs. (F. & D. No. 8135. I. S. Nos. 9170-1, 9174-1.)

On April 5, 1917, the United States attorney for the Western District of Tennessee, 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 Humphreys-Godwin Co. and the Union Seed & Fertilizer Co., corporations, trading at Memphis, Tenn., alleging shipment by the former company, through its agent, the Union Seed & Fertilizer Co., in violation of the Food and Drugs Act, on or about November 8 and December 3, 1915, respectively, from the State of Tennessee into the State of Maine, of quantities of cottonseed meal which was misbranded.

Analysis of a sample of the article from each consignment by the Bureau of Chemistry of this department showed that it contained 35.15 per cent and 36.56 per cent, respectively, of protein and 13.93 per cent and 12.87 per cent, respectively, of crude fiber.

Misbranding of the article was alleged in the information for the reason that the statements appearing on the labels of the sacks containing the said article, regarding the article and the ingredients and substances contained therein, to wit, "* * * Guaranteed Analysis. * * * Protein 38.62 to 43% * * * Crude Fibre 8 to 12%," were false and misleading in that they represented to purchasers that the said article contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, whereas, in fact and in truth, it did not contain 38.62 per cent of protein, but did contain a less

quantity, and the said article did not contain 8 per cent or less of crude fiber, but did contain a greater amount.

On June 9, 1917, a plea of guilty to the information was entered on behalf of the Union Seed & Fertilizer Co., and the court imposed a fine of \$100 and costs. On October 4, 1921, a plea of nolo contendere was entered on behalf of the Humphreys-Godwin Co., and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9922. Adulteration and misbranding of olive oil. U. S. * * * v. Maggioros & Rousos. Pleas of nolo contendere. Fine, \$25. (F. & D. No. 9229. I. S. No. 6567-p.)

On October 28, 1919, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Spiro Rousos and Harry Maggioros, copartners, trading as Maggioros & Rousos, Rochester, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about May 13, 1918, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product was essentially cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength and had been substituted in part for olive oil, which the said article purported to be.

Misbranding was alleged for the reason that the statement in prominent type in the Italian language, to wit, "Olive Oil," and the statement in smaller type in the English language, to wit, "With First Quality Pure Salad Oil," borne on the cans containing the said article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not olive oil but was a product composed in part of cottonseed oil. Misbranding was alleged for the further reason that the said article was a product composed in part of cottonseed oil and was an imitation of, and was offered for sale and sold under the distinctive name of, another article, to wit, olive oil.

On September 20, 1921, the defendants entered pleas of nolo contendere to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9923. Misbranding of cottonseed cake. U. S. * * * v. Osage Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 11120. I. S. No. 10826-r.)

On June 28, 1920, the United States attorney for the Eastern 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 Osage Cotton Oil Co., a corporation, trading at Tulsa, Okla., alleging shipment by said company, on or about June 10, 1918, in violation of the Food and Drugs Act, as amended, from the State of Oklahoma into the State of Kansas, of a quantity of cottonseed cake which was misbranded.

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the average net weight of 35 sacks was 96.46 pounds.