7933. Misbranding of olive oil. U. S. * * * v. Norman J. Gerber and Jay J. Gerber, Copartners (R. Gerber & Co.). Plea of guilty. Fine, $20 and costs. (F. & D. No. 9488. I. S. No. 12131–p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Norman J. Gerber and Jay J. Gerber, trading and doing business as R. Gerber & Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on March 20, 1918, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Ottimo Brand Virgin Oil R. Gerber & Co., Chicago, Ill., contents ¼ Gal. Net," which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the cans were short volume.

Misbranding of the article was alleged in the information in that the statement borne on the cans containing the article, regarding it, to wit, "Contents ¼ Gal. Net," was false and misleading in that it represented that each can contained ¼ gallon net of the article, whereas it contained a less amount; further misbranding was alleged in that the article was labeled as above so as to deceive and mislead the purchaser into the belief that each can contained ¼ gallon net of the article, whereas it contained a less amount; further misbranding was alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 23, 1920, Norman J. Gerber and Jay J. Gerber entered pleas of guilty to the information, and the court imposed a fine of $20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7934. Misbranding of meat scraps for poultry. U. S. * * * v. The Hine Brothers Co., a Corporation. Plea of guilty. Fine, $25 and costs. (F. & D. No. 8557. I. S. No. 20885–m.)

On January 10, 1918, the United States attorney for the Northern District of Illinois, 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 Hine Brothers Co., a corporation, Chicago, Ill., alleging shipment by the defendant, in violation of the Food and Drugs Act, on January 12, 1917, from the State of Illinois into the State of Wisconsin, of an article of food, labeled in part "Meat Scraps for Poultry," which was misbranded.

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

Protein (N x 6.25) (per cent)	42.4

Misbranding of the article was alleged in that the statement on the sacks regarding the article and the ingredients and substances contained in the article, to wit, "Guaranteed Analysis: Protein 50 to 55," was false and misleading in that it represented that the article contained not less than 50 per cent of protein, whereas it contained less than 50 per cent, to wit, 42.4 per cent. Further misbranding was alleged in that the article was labeled as above so as to deceive and mislead the purchaser into the belief that the article contained not less than 50 per cent of protein, whereas it contained less than 50 per cent, to wit, 42.4 per cent.

On March 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of $25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*