

Cotton Oil Co., a corporation, Elgin, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 24, 1918, from the State of Texas into the State of Kansas, of a quantity of cottonseed cake or meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained approximately 40.25 per cent of protein.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein not less than 43%," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the said article contained not less than 43 per cent of protein, 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 contained not less than 43 per cent of protein, whereas, in truth and in fact, the said article contained less than 43 per cent of protein, to wit, approximately 40.25 per cent.

On January 24, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

**9565. Misbranding of Monarch cow feed. U. S. \* \* \* v. Monarch Mills Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 13166. I. S. No. 586-r.)**

On November 16, 1920, the United States attorney for the Eastern 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 Monarch Mills Co., a corporation, Chattanooga, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 24, 1919, from the State of Tennessee into the State of Florida, of a quantity of Monarch cow feed which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 22.89 per cent of crude fiber. Examination of a sample by said bureau showed that it contained wheat bran and probably wheat shorts, alfalfa, cottonseed meal, and peanut meal. No velvet bean meal and probably not more than a trace, if any, of peanut vine meal were present.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Fibre 15 per cent \* \* \* Made from Wheat Shorts, Wheat Bran, Cotton Seed Meal, Peanut Meal, Velvet Bean Meal, Peanut Vine Meal, Alfalfa Meal, 1% Salt," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article contained not more than 15 per cent of fiber, and that it contained an appreciable quantity of velvet bean meal and peanut vine meal, 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 contained not more than 15 per cent of fiber, and that it contained an appreciable quantity of velvet bean meal and peanut vine meal, whereas, in truth and in fact, it contained more than 15 per cent of fiber, to wit, 22.89 per cent of fiber, and only a trace, if any, of velvet bean meal and peanut vine meal.

On May 15, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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