

5279. Misbranding of cottonseed meal or cake. U. S. * * * v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$50.
 (F. & D. No. 7703. I. S. No. 10888-1.)

On November 13, 1916, 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 Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 15, 1915, from the State of Oklahoma into the State of Illinois, of a quantity of cottonseed meal or cake which was misbranded. The article was labeled in part: “* * * Silo Brand Cotton Seed Meal or Cake * * *.”

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

Total ammonia (per cent)_____	6.64
Protein (N×6.25) (per cent)_____	34.1

The product contains less ammonia and protein than are declared on the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, “Guaranteed Analysis Ammonia 8 to 8½% Protein 41 to 43%,” borne on the tags attached to the sacks, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 8 per cent of ammonia and not less than 41 per cent of protein; 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 8 per cent of ammonia and not less than 41 per cent of protein, whereas, in truth and in fact, it contained less than 8 per cent of ammonia and less than 41 per cent of protein, to wit, approximately 6.64 per cent of ammonia and approximately 34.1 per cent of protein.

On January 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

R. A. PEARSON, *Acting Secretary of Agriculture.*