

5365. Misbranding of cottonseed meal or cake. U. S. * * * v. Richard K. Wootten and Edward C. Burton (Wootten-Burton Sales Co.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 7875. I. S. No. 19870-1.)

On January 6, 1917, 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 Richard K. Wootten and Edward C. Burton, copartners, trading as Wootten-Burton Sales Co., Chickasha, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 14, 1916, from the State of Oklahoma into the State of Iowa, of a quantity of an article labeled in part: "Choice 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:

Crude fiber (per cent).....	13.1
Protein (per cent).....	38.8

The results of analysis show that the product contains less protein and more fiber than is declared on the label.

Misbranding of the article was alleged in substance in the information for the reason that the statement borne on the tags attached to the sacks, to wit, "* * * Wootten-Burton Sales Co., * * * hereby certifies * * * the following chemical analysis: Crude Protein * * * not less than * * * 41 to 43 per cent * * * Crude Fiber * * * not more than * * * 10½ to 12 per cent," regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 41 per cent of crude protein and contained not more than 12 per cent of crude fiber; 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 41 per cent of crude protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained, approximately 38.8 per cent of crude protein, and approximately 13.1 per cent of crude fiber.

On April 5, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, Acting Secretary of Agriculture.