

Rock, Ark." The remainder was labeled in part: "Weight 100 Pounds Net 'Chickasha Prime' Cottonseed Cake or Meal * * * Chickasha Cotton Oil Co. Chickasha, Oklahoma Manufacturers of Cotton Seed Products."

The information charged that the Quapaw brand was misbranded in that the statement "Guaranteed Analysis Protein 41.00%", borne on the tag attached to the sacks containing the article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since it contained less than 41 percent of protein, samples taken from the two shipments having been found to contain 38.50 percent and 38.38 percent of protein, respectively. Misbranding of the Chickasha Prime brand was alleged for the reason that the statement "Weight 100 Pounds Net", borne on the tag, was false and misleading and for the further reason that it was labeled so as to deceive and mislead the purchaser since the sacks did not each contain 100 pounds net weight but did contain a less amount. Misbranding of the Chickasha Prime brand was alleged for the further reason 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 October 12, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25305. Misbranding of bread. U. S. v. Continental Baking Co., Inc. (Perfection Bakery). Plea of guilty. Fine, \$40. (F. & D. no. 35902. Sample nos. 47375-A, 47788-A, 47789-A, 1493-B.)

This case was based on interstate shipments of bread which was short in weight.

On September 10, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Continental Baking Co., Inc., operating at Sacramento, Calif., under the name of the Perfection Bakery, alleging shipment by said company in violation of the Food and Drugs Act, as amended, on or about January 31, May 21, and August 14, 1934, from the State of California into the State of Nevada, of quantities of bread which was misbranded. The article was labeled in part: "Sliced It's Slo-Baked * * * Wonder Cut Bread Continental Baking Company Weight 1½ Lbs. [or "Weight 1 Lb."]."

The article was alleged to be misbranded in that the statement "Weight 1½ Lbs.", with respect to a portion of the product, and the statement "Weight 1 Lb.", with respect to the remainder, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since each of a large number of the loaves examined contained less than the weight declared.

Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On November 9, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$40.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25306. Adulteration of tomato puree. U. S. v. Cicero Canning Co. Plea of guilty. Fine, \$25. (F. & D. no. 35906. Sample nos. 22891-B, 22892-B, 31802-B, 31808-B.)

This case was based on interstate shipments of canned tomato puree that contained excessive mold.

On August 22, 1935, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Cicero Canning Co., a corporation, Cicero, Ind., alleging shipment by said company in violation of the Food and Drugs Act, on or about November 16, 1934, January 14, 1935, and January 28, 1935, from the State of Indiana into the State of Illinois, and on or about December 5, 1934, from the State of Indiana into the State of Wisconsin, of quantities of canned tomato puree which was adulterated. A portion of the article was labeled: "White City Brand Tomato Puree * * * Samuel Kunin & Sons, Inc., Distributors Chicago, Ill."

The article was alleged to be adulterated in that it consisted in part of a decomposed vegetable substance.

On October 11, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25.

R. G. TUGWELL, *Acting Secretary of Agriculture.*