

5291. Misbranding of cottonseed meal and cake. U. S. * * * v. Arthur G. Fulkerson, Edward C. Burton, and Richard K. Wootten (Anadarko Cotton Oil Co.). Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 7718. I. S. No. 19854-1.)

On March 15, 1917, 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 Arthur G. Fulkerson, Edward C. Burton, and Richard K. Wootten, copartners, trading under the name of Anadarko Cotton Oil Co., Anadarko, Okla., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 3, 1916, from the State of Oklahoma into the State of Missouri, of a quantity of an article labeled in part: "Equity Brand Red Tag Cotton Seed Meal and 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)-----	13.3
Crude protein (per cent)-----	35.9
Total nitrogen (per cent)-----	5.74
Total ammonia (per cent)-----	6.98

This product contains less ammonia, less protein, less nitrogen, and more crude fiber than it is labeled to contain.

Misbranding of the article was alleged in the information for the reason that the statement appearing on the tag attached to the sacks, regarding the article and the ingredients and substances contained therein, to wit, "Guaranteed Analysis Ammonia 7½ to 8%. Protein 38.62 to 41%. Nitrogen 6 to 6½% * * *. Crude Fibre 10 to 12%," was false and misleading in that it represented that the article contained not less than 7.5 per cent of ammonia, not less than 38.62 per cent of protein, not less than 6 per cent of nitrogen, and not more than 12 per cent of crude fiber; 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 7.5 per cent of ammonia, not less than 38.62 per cent of protein, not less than 6 per cent of nitrogen, and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less than 7.5 per cent of ammonia, less than 38.62 per cent of protein, less than 6 per cent of nitrogen, and more than 12 per cent of crude fiber, to wit, approximately 6.98 per cent of ammonia, approximately 35.9 per cent of protein, approximately 5.74 per cent of nitrogen, and approximately 13.3 per cent of crude fiber.

On April 23, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

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