

of New York into the State of Connecticut, of a quantity of an article, labeled in part "Prodotti Italiani Olio di Oliva Pure Olive Oil," which was adulterated and misbranded.

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

Average net contents of 2 cans__	3 quarts 1 pint 11.70 fluid ounces.
Average shortage (fluid ounces)-----	4.30
Average shortage (per cent)-----	3.36
Test for cottonseed oil: Strongly positive.	

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Prodotti Italiani Olio di Oliva Pure Olive Oil Sopraffino Italia Brand Lucca Toscana Italia, Net Contents 1 Gallon," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, and that each of the said cans contained 1 full gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, and that each of said cans contained 1 full gallon of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the province of Tuscany, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that by the statements on the label it purported to be a foreign product, when not so. Misbranding of the article 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 March 19, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

**6971. Misbranding of dairy feed. U. S. \* \* \* v. John Wade, John Joseph Wade, Thomas M. Wade, Mark F. Wade, and Eugene Wade (John Wade & Sons). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 9482. I. S. No. 7426-p.)**

On February 3, 1919, the United States attorney for the Western 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

John Wade, John Joseph Wade, Thomas M. Wade, Mark F. Wade, and Eugene Wade, copartners, trading as John Wade & Sons, Memphis, Tenn., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about April 15, 1918, from the State of Tennessee into the State of North Carolina, of a quantity of an article, labeled in part "Wade's 24 Per cent Protin Dairy Feed," which was misbranded.

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

	Per cent.
Protein (N x 6.25)-----	16.0
Fat -----	3.6
Crude fiber-----	14.9

Misbranding of the article was alleged in substance in the information for the reason that the statement, to wit, "Guaranteed average analysis: Protein 24.0, Fat 14.0, Fibre (not over) 5.00," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 24 per cent of protein, not less than 14 per cent of fat, and not more than 5 per cent of 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 24 per cent of protein, not less than 14 per cent of fat, and not more than 5 per cent of fiber, whereas, in truth and in fact, it contained less protein and fat, and more fiber than was declared on the tags, to wit, 16.0 per cent of protein, 3.6 per cent of fat, and 14.9 per cent of fiber.

On April 3, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

*E. D. BALL, Acting Secretary of Agriculture.*

**6972. Adulteration and misbranding of rice bran. U. S. \* \* \* v. Frank M. Rickert, Fred W. Rickert, and Marion L. Rickert (Rickert's Rice Mills). Pleas of guilty. Fine, \$10. (F. & D. No. 9483. I. S. No. 8785-p.)**

On May 5, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank M. Rickert, Fred W. Rickert, and Marion L. Rickert, copartners, trading as Rickert's Rice Mills, New Orleans, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about March 15, 1918, from the State of Louisiana into the State of Alabama, of a quantity of an article, labeled in part "Rice Bran," which was adulterated and misbranded.

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

	Per cent.
Moisture -----	9.98
Ether extract-----	11.41
Crude fiber -----	15.93
Protein-----	10.00
Ash -----	12.45
Acid insoluble ash-----	7.41

These results indicate presence of rice hulls.