

7493. Adulteration and misbranding of dairy feed. U. S. * * * v. International Sugar Feed No. Two Co., a Corporation. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 10885. I. S. No. 11679-r.)

On December 16, 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 the International Sugar Feed No. Two Co., a corporation, doing business at Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 15, 1918, from the State of Tennessee into the State of Arkansas, of a quantity of an article, labeled in part: (On tag) "International Jewel Dairy Feed. Ingredients: Cracked Corn 5 per cent, Clipped Oat By-products 55 per cent, (Oat Hulls, Oat Middling, Oat Shorts) Alfalfa Meal 10 per cent, Cottonseed Meal 5 per cent, Molasses 24½ per cent, Salt ½ per cent," 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.
Ether extract.....	2.75
Crude fiber.....	20.37
Nitrogen.....	1.65
Ammonia.....	2.02
Protein.....	10.3
Rice hulls: Present.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, rice hulls, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality, and had been substituted in part for dairy feed composed of the ingredients named on the tag, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Dairy Feed. Ingredients: Cracked Corn 5 per cent, Clipped Oat By products 55 per cent, * * * Alfalfa Meal 10 per cent, Cottonseed Meal 5 per cent, Molasses 24½ per cent, Salt ½ per cent," and "Crude Fibre not More than 15 per cent," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a dairy feed composed of the ingredients named on the tag, and that it contained not more than 15 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 was dairy feed composed of the ingredients named on the tag, and that it contained not more than 15 per cent of crude fiber, whereas, in truth and in fact, it was not a dairy feed composed of the ingredients named on the tag, but was a product containing added rice hulls, and contained more than 15 per cent of crude fiber.

On January 2, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$50 and costs.

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

7494. Adulteration of scallops. U. S. * * * v. Wallace M. Quinn (Wallace M. Quinn Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10863. I. S. Nos. 13749-r, 14938-r.)

On September 22, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wallace M. Quinn, trading as the Wallace M. Quinn Co., Morehead City, N. C.,