

lead the purchasers into the belief that it was olive oil, whereas, in truth and in fact, it was not; and for the further reason that it was an imitation of another article, to wit, olive oil, and it was offered for sale and sold under the distinctive name of another article; and for the further reason that the statement appearing on the labels of certain of the cans concerning the article, to wit, "Net Contents One Gallon," was false and misleading in that it represented to purchasers that each can of the same so labeled contained not less than 1 gallon of the article, whereas, in fact and in truth, each of said cans so labeled contained less than 1 gallon of the article. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of the package was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

Misbranding of the article in the shipment on August 2, 1918, was alleged for the reason that it was labeled in conspicuous type "Extra Fine Olive Oil," and in inconspicuous type "Corn salad oil," and bore the design and device of an olive tree and branch so as to deceive and mislead the purchaser into the belief that it was olive oil, and for the further reason that the said statement, design, and device, appearing on the label, were false and misleading in that they represented to purchasers of the article that the same was olive oil, whereas, in fact and in truth, it was not; and for the further reason that it was an imitation of another article, to wit, olive oil, and was offered for sale and sold under the distinctive name of another article.

On November 26, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

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

7631. Misbranding of cottonseed meal or screened cottonseed cake. U. S. * * * v. Union Seed & Fertilizer Co., a corporation, and T. O. Branch Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11215. I. S. Nos. 10691-r, 10692-r.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, 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 Union Seed and Fertilizer Co., a corporation, and the T. O. Branch Co., a corporation, Little Rock, Ark., alleging shipment by said companies, in violation of the Food and Drugs Act, on or about November 20, 1918, and November 14, 1918, respectively, from the State of Arkansas into the State of Indiana, of quantities of an article, labeled in part "Makfat Brand Cotton Seed Meal and Screened Cotton Seed Cake," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of Nov. 20.	Shipment of Nov. 14.
Crude fiber (per cent)-----	13.95	14.95
Nitrogen (per cent)-----	6.20	5.94
Protein (per cent)-----	38.8	37.1

Misbranding of the article was alleged in the information for the reason that the following statements appearing on the label, to wit, "Protein 41% to 43% Crude Fibre not over 10%" or "Not less than 41.0 per cent. of crude protein Not more than 10.0 per cent. of crude fiber," were false and misleading in that they represented to purchasers that the article contained not less than 41 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and

mislead purchasers into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of crude fiber, whereas, in fact and in truth, it did contain less than 41 per cent of protein and more than 10 per cent of crude fiber.

On January 8, 1920, a plea of guilty was entered on behalf of the defendant companies, and the court imposed a fine of \$50.

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

7632. Adulteration of olive oil. U. S. * * * v. Lawrence Mercurio (Mercurio & Co.). Plea of guilty to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed.
(F. & D. No. 9661. I. S. No. 10009-p.)

On May 16, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lawrence Mercurio, trading as Mercurio & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 23, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Extra Superfine Lucca Olive Oil (Italy) Warranted Pure," which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a 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.

On November 13, 1919, the defendant entered a plea of guilty to the first count of the information, and the court imposed a fine of \$25 and costs. The remaining counts of the information were dismissed.

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

7633. Adulteration of gelatin. U. S. * * * v. Consumers Glue Co., a corporation. Plea of guilty to count 1 of the information. Fine, \$50 and costs. Remaining counts of information dismissed. (F. & D. No. 9667. I. S. No. 6804-p.)

On October 9, 1919, the United States attorney for the Eastern District of Missouri, 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 Consumers Glue Co., a corporation, St. Louis, Mo., alleging shipment by said company, on or about December 12, 1917, from the State of Missouri into the State of Georgia, of a quantity of an article, invoiced as gelatin, which was adulterated.

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

Copper (Cu) (parts per million)-----	20
Zinc (Zn) (parts per million)-----	409
Arsenic (As): Trace.	
Odor: Glue-like.	

Appearance of solution: Dark cloudy.

Product consists partly of glue and contains excessive zinc.

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