

Misbranding of the articles was alleged in the information for the reason that the statement, to wit, "Guaranteed Analysis Protein 43 per cent. \* \* \* Crude Fibre 10 to 12 per cent," borne on the tags attached to the sacks containing the cottonseed meal, and the statement, "Guaranteed Analysis Protein 43 per cent," borne on the tags attached to the sacks containing the cottonseed cake, regarding the said articles and the ingredients and substances contained therein, were false and misleading in that the said statements represented that the articles contained not less than 43 per cent of protein and that the cottonseed meal contained not more than 12 per cent of crude fiber, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser into the belief that they contained not less than 43 per cent of protein and that the cottonseed meal contained not more than 12 per cent of crude fiber, whereas, in truth and in fact, the said articles did contain less than 43 per cent of protein, to wit, 38.57 and 39.75 per cent, respectively, and the said cottonseed meal did contain more than 12 per cent of crude fiber, to wit, 13.97 per cent. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On June 22, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10071. Misbranding of chocolate-covered cherries. U. S. \* \* \* v. The Capen-Schaetzel Chocolate Co., a Corporation. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 14513. I. S. No. 10237-t.)**

On June 1, 1921, the United States attorney for the District of Colorado, 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 Capen-Schaetzel Chocolate Co., a corporation, Denver, Colo., alleging shipment by said company, on or about February 28, 1920, in violation of the Food and Drugs Act, as amended, from the State of Colorado into the State of Wyoming, of a quantity of chocolate-covered cherries which were misbranded.

Misbranding of the article was alleged in the information for the 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 July 5, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10072. Misbranding of peaches. U. S. \* \* \* v. Thomas Hilton Peppers. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 14515. I. S. No. 1963-t.)**

On May 31, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas Hilton Peppers, Hotchkiss, Colo., alleging shipment by said defendant, on or about September 15, 1920, in violation of the Food and Drugs Act, as amended, from the State of Colorado into the State of Texas, of a quantity of peaches contained in unlabeled baskets, which were misbranded.

Misbranding of the article was alleged in the information for the 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 September 9, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10073. Adulteration and misbranding of egg noodles. U. S. \* \* \* v. Masaichi Ishikawa (Denver Noodle Factory). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 14527. I. S. No. 10256-t.)**

On May 31, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Masaichi Ishikawa, trading as the Denver Noodle Factory, Denver, Colo., alleging shipment by said defendant, on or about July 27, 1920, in violation of the Food and Drugs

Act, as amended, from the State of Colorado into the State of Utah, of a quantity of egg noodles which were adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained little or no egg.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, an alimentary paste containing little or no egg, had been substituted for egg noodles, which the article purported to be.

Misbranding was alleged for the reason that the boxes containing the article bore a statement, to wit, "Egg Noodles," regarding the said article and the ingredients contained therein, which was false and misleading in that the said statement represented to the purchaser thereof that the article was egg noodles, whereas, in fact and in truth, it was not egg noodles, but was a product containing little or no egg. Misbranding was alleged for the further reason that the article was a product composed practically wholly of an alimentary paste, prepared in imitation of egg noodles, and was offered for sale under the distinctive name of another article, to wit, egg noodles. 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.

On July 5, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10074. Misbranding of apples. U. S. \* \* \* v. Thomas H. Peppers. Plea of guilty. Fine, \$5 and costs.** (F. & D. No. 14738. I. S. No. 1722-t.)

On June 14, 1921, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas H. Peppers, Montrose, Colo., alleging shipment by said defendant, on or about September 30, 1920, in violation of the Food and Drugs Act, as amended, from the State of Colorado into the State of Texas, of a quantity of apples contained in boxes, which were misbranded.

Misbranding of the article was alleged in the information for the 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 September 9, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10075. Misbranding of apples. U. S. \* \* \* v. Union Fruit Co., a Corporation. Plea of guilty. Fine, \$5 and costs.** (F. & D. No. 14739. I. S. No. 1717-t.)

On June 9, 1921, the United States attorney for the District of Colorado, 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 Fruit Co., a corporation, Paonia, Colo., alleging shipment by said company, on or about October 5, 1920, in violation of the Food and Drugs Act, as amended, from the State of Colorado into the State of Texas, of a quantity of apples contained in unlabeled baskets, which were misbranded.

Misbranding of the article was alleged in the information for the 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 September 20, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10076. Misbranding of peaches. U. S. \* \* \* v. Associated Fruit Co., a Corporation. Plea of guilty. Fine, \$5 and costs.** (F. & D. No. 14740. I. S. No. 1633-t.)

On June 14, 1921, the United States attorney for the District of Colorado, 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 Associated Fruit Co., a corporation, Delta, Colo., alleging shipment by said company, on or about September 25, 1920, in violation of the Food and Drugs Act, as