

decree of condemnation and destruction of such portion of the product as was unfit for food, judgment was entered finding the product to have been shipped in violation of the said act, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the good portion be separated from the portion unfit for food and that the bad portion be not sold or otherwise disposed of contrary to law.

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

10560. Misbranding of cottonseed meal and cottonseed cake. U. S. * * * v. Rufus W. Henderson and Myron C. Stockbridge (Henderson Cotton Oil Co.). Pleas of guilty. Fines, \$100. (F. & D. Nos. 10767, 12352. I. S. Nos. 10827-r, 10870-r, 12033-r.)

On October 16, 1919, and August 11, 1920, respectively, the United States attorney for the Western District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against Rufus W. Henderson and Myron C. Stockbridge, copartners, trading as the Henderson Cotton Oil Co., Shreveport, La., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, from the State of Louisiana into the State of Kansas, on or about February 19, 1918, and February 22, 1919, respectively, of quantities of cottonseed meal, and on or about December 13, 1918, of a quantity of cottonseed cake, all of which were misbranded.

Analysis of a sample of the cottonseed meal from the consignment of February 19, 1918, by the Bureau of Chemistry of this department, showed that it contained 35.75 per cent of protein and 13.98 per cent of crude fiber. Analysis of a sample of the cottonseed cake by said bureau showed that it contained 37.53 per cent of protein, 13.50 per cent of crude fiber, and 6.00 per cent of nitrogen. Examination of 61 sacks of the cottonseed cake showed that the average net weight thereof was 97.66 pounds.

Misbranding of the cottonseed meal consigned February 19, 1918, and of the cottonseed cake was alleged in substance in the informations for the reason that the statements, to wit, "Protein 38.55%" and "Crude Fibre 12.00%," with respect to the former, and the statements, to wit, "Guaranteed Analysis * * * 99 Lbs. Net Protein 38.55% * * * Crude Fibre 12.00% * * * Equivalent Nitrogen 6.17%," with respect to the latter, borne on the tags attached to the sacks containing the respective articles, regarding the said articles and the ingredients and substances contained therein, were false and misleading in that the said statements represented that both articles contained not less than 38.55 per cent of protein and not more than 12 per cent of crude fiber, that the cottonseed cake contained not less than 6.17 per cent of equivalent nitrogen, and that the sacks containing the said cottonseed cake contained 99 pounds thereof, 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 both contained not less than 38.55 per cent of protein and not more than 12 per cent of crude fiber, that the said cottonseed cake contained not less than 6.17 per cent of equivalent nitrogen, and that the sacks containing the said cottonseed cake contained 99 pounds thereof, whereas, in truth and in fact, the said articles did contain less than 38.55 per cent of protein and more than 12 per cent of crude fiber, the cottonseed cake contained less than 6.17 per cent of equivalent nitrogen, and the sacks containing the same did not contain 99 pounds thereof. Misbranding was alleged with respect to the said cottonseed cake and to the cottonseed meal consigned February 22, 1919, for the reason that they were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the said packages.

On May 22, 1922, the defendants entered pleas of guilty to the respective informations, and the court imposed fines in the aggregate sum of \$100.

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

10561. Adulteration and misbranding of rice bran. U. S. * * * v. Benedict Commission Co., Ltd., a Corporation. Plea of guilty. Fine, \$30. (F. & D. No. 10788. I. S. No. 16229-r.)

On October 18, 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 the Benedict Commission Co., Ltd., a corporation, New Orleans, La., alleging ship-