

District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation, Waynesboro, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about December 27, 1922, from the State of Georgia into the State of North Carolina, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "Protein, not less than 36.00% Equivalent to Ammonia 7.00%."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 34.31 per cent of protein, the equivalent of 6.68 per cent of ammonia.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein, not less than 36.00% Equivalent to Ammonia 7.00%," borne on the tags attached to the sacks containing the said article, regarding the article and the ingredients and substances contained therein, was false and misleading in that the said statement represented that the article contained not less than 36 per cent of protein, the equivalent of 7 per cent of ammonia, 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 36 per cent of protein, the equivalent of 7 per cent of ammonia, whereas, in truth and in fact, the article contained less than 36 per cent of protein, to wit, approximately 34.31 per cent of protein, the equivalent of 6.68 per cent of ammonia.

On April 25, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

HOWARD M. GORE, *Secretary of Agriculture.*

12523. Adulteration and misbranding of butter. U. S. v. 36 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18842. I. S. No. 16844-v. S. No. E-4913.)

On July 8, 1924, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 36 tubs of butter remaining in the original unbroken packages at Boston, Mass., consigned June 23, 1924, alleging that the article had been shipped by the South Hero Creamery Assoc., South Hero, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed with and substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the said article, to wit, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the name of another article, to wit, butter, and 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 July 11, 1924, the Goldsmith-Stockwell Co., Boston, Mass., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

HOWARD M. GORE, *Secretary of Agriculture.*

12524. Adulteration and misbranding of vinegar. U. S. v. James T. Bothwell (J. T. Bothwell Grocery Co.). Plea of guilty. Fine, \$25. (F. & D. No. 12470. I. S. No. 16309-r.)

On October 25, 1920, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James T. Bothwell, trading as J. T. Bothwell Grocery Co., Augusta, Ga., alleging shipment by said defendant, in violation of the food and drugs act, on or about February 7, 1919, from the State of Georgia into the State of South Carolina, of a quantity of vinegar which was adulterated and misbranded. The article was labeled in part: "Pure Apple Cider Vinegar Capacity 26 Oz. Bottled by J. T. Bothwell Grocery Co. Augusta, Georgia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was distilled vinegar colored with caramel.