

**13355. Misbranding of cottonseed meal. U. S. v. Lancaster Cotton Oil Co. Plea of nolo contendere. Fine, \$100.** (F. & D. No. 19243. I. S. No. 9003-v.)

On November 24, 1924, the United States attorney for the Western District of South 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 the Lancaster Cotton Oil Co., a corporation, Lancaster, S. C., alleging shipment by said company, in violation of the food and drugs act, on or about July 20, 1923, from the State of South Carolina into the State of Massachusetts, of a quantity of cottonseed meal which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained 37.09 per cent of protein, equivalent to 7.2 per cent of ammonia, and 5.93 per cent of nitrogen.

Misbranding of the article was alleged in substance in the information for the reason that the statements "Prime Cotton Seed Meal Guaranteed Analysis \* \* \* Protein, not less than (Equivalent to 8% ammonia) 41.00% \* \* \* Nitrogen, not less than 6.58%," borne on the tags attached to the sacks containing the said article, were false and misleading, in that the said statements represented that the article contained not less than 41 per cent of protein, equivalent to 8 per cent of ammonia, and contained not less than 6.58 per cent of nitrogen, 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 not less than 41 per cent of protein, equivalent to 8 per cent of ammonia, and contained not less than 6.58 per cent of nitrogen, whereas the said article contained less than 41 per cent of protein, less than the equivalent of 8 per cent of ammonia, and less than 6.58 per cent of nitrogen.

On March 11, 1925, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13356. Adulteration of butter. U. S. v. Union Creamery Co. Pleas of guilty. Fines, \$100.** (F. & D. Nos. 19318, 19331. I. S. Nos. 11631-v, 20057-v.)

On February 27 and March 6, 1925, respectively, the United States attorney for the District of Oregon, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district informations against the Union Creamery Co., a corporation, La Grande, Oreg., alleging shipment by said company, in violation of the food and drugs act, in two consignments, namely, on or about May 14, 1924, and June 10, 1924, respectively, from the State of Oregon into the States of Washington and California, respectively, of quantities of butter which was adulterated. The article was billed or invoiced as butter.

Analyses by the Bureau of Chemistry of this department of a sample consisting of several subdivisions from each of the consignments showed that the said samples contained 79.39 per cent and 79.77 per cent, respectively, of milk fat.

Adulteration of the article was alleged in the informations for the reason that a product deficient in milk fat had been substituted for butter, which the said article purported to be, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923.

On March 12, 1925, pleas of guilty to the informations were entered on behalf of the defendant company, and the court imposed fines in the aggregate amount of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13357. Adulteration and misbranding of canned oysters. U. S. v. 49 Cases of Canned Oysters. Decree of condemnation and forfeiture, with proviso that product might be released under bond to claimant.** (F. & D. No. 20038. I. S. No. 20447-v. S. No. W-1699.)

On or about April 24, 1925, the United States attorney for the Northern District of California, 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 49 cases of canned oysters, remaining in the original unbroken packages at San Jose, Calif., alleging that the article had been shipped by Southern Factors (Inc.), from New Orleans, La., February 19, 1925, and transported from the State of Louisiana into the State of California