

water, which had been substituted in part for the said article of food; and said article was further adulterated in that a valuable constituent, to wit, fat, had been partly abstracted and left out.

On March 17, 1914, the case having come on for trial before the court and a jury, after the submission of evidence and argument by counsel, the case was given to the jury, and, after due deliberation, a verdict of not guilty was returned by said jury.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3345. Adulteration and misbranding of Hillis Golden Cereal. U. S. v. Hillis Cereal Manufacturing Co. Plea of guilty. Sentence suspended. (F. & D. No. 4724. I. S. No. 15935-d.)

On February 6, 1914, the United States attorney for the Eastern District of New York, 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 Hillis Cereal Manufacturing Co., a corporation, Brooklyn, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 2, 1912, from the State of New York into the State of Washington, of a quantity of food product called Hillis Golden Cereal which was adulterated and misbranded. The product was labeled: (On sack) "Hillis Golden Cereal Hillis Cereal Manufacturing Co."

Examination of a sample of the product by the Bureau of Chemistry of this department showed it to consist of a mixture of roasted pea or bean hulls, fragments of roasted peas or beans, and 20 to 40 per cent of a roasted cereal, probably wheat.

Adulteration of the product was alleged in the information for the reason that it contained a substance and [or(?)] substances which had been substituted wholly or in part for the cereal which the said article purported to be, to wit, roasted pea and [or(?)] bean hulls and fragments of roasted peas and [or(?)] beans. Misbranding was alleged for the reason that the statement "Hillis Golden Cereal," borne on the label of the product, was false and misleading, in that said statement on the label purported that said product [contained(?)] was a cereal product and deceived and misled the purchaser into the belief that the product [contained(?)] was a cereal product, whereas, in truth and in fact, the said product [contained(?)] was not a cereal product, but was a mixture of cereal, pea and [or(?)] bean hulls and fragments of roasted peas and [or(?)] beans.

On February 26, 1914, the defendant company entered a plea of guilty to the information and the court suspended sentence.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914*

3346. Adulteration and misbranding of scuppernong and sauterne wines. U. S. v. A. Schmidt Jr. & Bros. Wine Co. Plea of nolo contendere. Fine, \$100 and costs. (F. & D. Nos. 4725, 4834, 4868, 4957, 5006. I. S. Nos. 22810-d, 6160-d, 2409-e, 36503-e, 2411-e.)

On April 7, 1913, the United States attorney for the Northern District of Ohio, 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 A. Schmidt jr. & Bros. Wine Co., a corporation, Sandusky, Ohio, alleging shipment by said company in violation of the Food and Drugs Act:

(1) On or about March 26, 1912, from the State of Ohio into the State of Indiana, of a quantity of so-called scuppernong wine which was adulterated