

Valley Alfalfa Mill Co., a corporation, Hagerman, N. Mex., alleging shipment by said company, in violation of the food and drugs act, on or about October 2, 1930, from the State of New Mexico into the State of Illinois, of a quantity of alfalfa leaf meal that was misbranded. The article was labeled in part: (Tag) "Peevee Alfalfa Leaf Meal \* \* \* Made By Pecos Valley Alfalfa Mill Co. Hagerman, New Mexico Guaranteed Analysis Protein 20%."

It was alleged in the information that the article was misbranded in that the statement, to wit, "Guaranteed Analysis Protein 20%," borne on the tag attached to the sacks containing the article, was false and misleading in that the said statement represented that the article contained not less than 20 per cent of protein; 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 20 per cent of protein; whereas it contained less than 20 per cent of protein, to wit, approximately 18.38 per cent of protein.

On January 5, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19314. Misbranding of laying mash. U. S. v. Richard F. Owings & Thaddeus C. Owings (Owings Bros.). Pleas of guilty. Fines of \$100. (F. & D. No. 26551. I. S. No. 18564.)**

Samples of laying mash having been found to contain less protein and more crude fiber than labeled, the Secretary of Agriculture reported the matter to the United States attorney for the Middle District of Pennsylvania.

On August 1, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Richard F. Owings and Thaddeus C. Owings, copartners, trading as Owings Bros., York, Pa., alleging shipment by said defendants on or about February 2, 1931, in violation of the food and drugs act, from the State of Pennsylvania into the State of Maryland, of a quantity of laying mash that was misbranded. The article was labeled in part: (Sack) "June Bug Laying Mash \* \* \* Analysis Min. Protein 20%, \* \* \* Max. Fiber 8% \* \* \* Manufactured by Owings Bros. York, Pa."

It was alleged in the information that the article was misbranded in that the statements, "Analysis Min. Protein 20% \* \* \* Max. Fiber 8%," borne on the sacks, were false and misleading, since the said statements represented that the article contained not less than 20 per cent of protein, and not more than 8 per cent of fiber; 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 20 per cent of protein and not more than 8 per cent of fiber; whereas it contained less protein and more fiber than so represented.

On October 19, 1931, the defendants entered pleas of guilty to the information, and the court imposed fines aggregating \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19315. Adulteration of butter. U. S. v. 10 Tubs, et al., of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27848. I. S. No. 42706. S. No. 5650.)**

Samples of butter from the shipment herein described having been found to contain less than 80 per cent by weight of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On December 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 22 tubs of butter at New York, N. Y., alleging that the article had been shipped by the Waucoma Creamery Co., Ridgeway, Iowa, on or about December 9, 1931, and had been transported from the State of Iowa into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing 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 of milk fat as provided by the act of March 4, 1923.

The Lime Springs Creamery Co., Lime Springs, Iowa, interposed a claim for the product and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reworked so that it contain at least 80 per cent of butterfat. On December 22, 1931, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the

product be released to the said claimant upon payment of costs, and the execution of a bond in the sum of \$600, conditioned in part that it be reworked so that it comply with the Federal food and drugs act and all other laws, and that it should not be disposed of until examined and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19316. Adulteration of butter. U. S. v. Raymond A. Washatka (Park Falls Creamery Co.). Plea of guilty. Fine, \$100. (F. & D. No. 26581. I. S. No. 036461.)**

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard prescribed by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Wisconsin.

On July 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Raymond A. Washatka, trading as Park Falls Creamery Co., Park Falls, Wis., alleging shipment by said defendant, in violation of the food and drugs act, on or about May 16, 1930, from the State of Wisconsin into the State of Illinois, of a quantity of butter that was adulterated.

Adulteration of the article was alleged in the information for the reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for 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, which the said article purported to be.

On November 11, 1931, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19317. Adulteration and misbranding of grated cheese. U. S. v. Kraft-Phenix Cheese Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 25732. I. S. No. 7290.)**

The grated cheese involved in this action was found to be a cheese mixture containing an excessive amount of lactose, which had been added to the article in the form of dried skim milk powder.

On May 19, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Kraft-Phenix Cheese Corporation, a corporation, trading at Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, on or about November 25, 1930, from the State of Illinois into the State of Michigan, of a quantity of grated cheese that was adulterated and misbranded. The article was labeled in part: "Kraft Cheese Blended Dehydrated Grated Whole Milk American Cheese Blended With Part Skim-Milk Cheese Kraft-Phenix Cheese Corporation General Offices—Chicago."

It was alleged in the information that the article was adulterated in that an added substance, to wit, lactose, had been substituted in part for the said article.

Misbranding was alleged for the reason that the statements, to wit: "Cheese \* \* \* Grated Whole Milk American Cheese Blended with Part Skim Milk Cheese," borne on the package containing the article, were false and misleading in that the said statements represented that the article was made solely from whole American cheese blended with part skim milk cheese; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was made solely from whole American cheese blended with part skim milk cheese; whereas it was not, but did consist in part of added lactose which had been added in the form of dried skim milk powder.

On January 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19318. Misbranding of olive oil. U. S. v. One Hundred and Forty-four 1-Gallon Cans, et al., of Olive Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27396. I. S. Nos. 4750, 34173. S. No. 5520.)**

Sample cans of olive oil from the import shipment involved in this action having been found to contain less than the declared volume, the Secretary of