

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