butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On October 31, 1933, a plea of guilty to the information was entered on behalf of the defendant corporation, and the court imposed a fine of $50 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

21723. Adulteration and misbranding of butter. U. S. v. Charles Russell Parrish and Richard Henrik Nelson (Valley Creamery, Ltd.), Pleas of guilty. Fine, $26. (F. & D. no. 30230. Sample no. 24299–A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On July 29, 1933, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles Russell Parrish and Richard Henrik Nelson, trading as Valley Creamery, Ltd., at Milford, Utah, alleging shipment by said defendants in violation of the Food and Drugs Act, on or about October 22, 1932, from the State of Utah into the State of California, of a quantity of butter that was adulterated and misbranded. The article was labeled in part: "Valley Creamery, Ltd. Milford, Utah Butter."

It was alleged in the information that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

Misbranding of the article was alleged for the reason that the statement, "Butter", was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since the said statement represented that the article was butter, a product which should contain not less than 80 percent of milk fat as required by law, whereas it was not.

On October 14, 1933, the defendants entered pleas of guilty to the information, and the court imposed a fine of $26.

M. L. WILSON, *Acting Secretary of Agriculture.*

21724. Alleged misbranding of flour. U. S. v. Fant Milling Co. Tried to the court. Judgment of not guilty. (F. & D. no. 27563. I.S. nos. 35464, 35465.)

This case was based on an interstate shipment of flour that was charged to be short weight.

On April 27, 1932, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Fant Milling Co., a corporation, Sherman, Tex., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about July 7, 1931, from the State of Texas into the State of Louisiana, of a quantity of flour that was deemed to be misbranded. A portion of the article was labeled in part: "Fant's Famous Flour * * * Fant Milling Co. Sherman, Texas, * * * Net 24 Lbs." The remainder was labeled in part: "Red Elefant * * * Hard Wheat Flour Fant Milling Co. Sherman, Texas, * * * 98 Lbs."

It was alleged in the information that the article was misbranded in that the statements, "24 Lbs. Net", and "98 Lbs. Net", borne on the sacks, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since the sacks contained less than 24 pounds and 98 pounds net, respectively. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 28, 1933, the case came on for trial before the court, and a judgment of not guilty was rendered.

M. L. WILSON, *Acting Secretary of Agriculture.*

21725. Adulteration of canned salmon. U. S. v. Chinook Packing Co. Plea of guilty to first count of information. Fine, $50 and costs. (F. & D. no. 30209. Sample nos. 1776–A, 1780–A, 1783–A, 1784–A, 1786–A, 1788–A, 1789–A.)

This case was based on interstate shipments of canned salmon that was found to be in part tainted or stale.

On July 12, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the