

On February 21, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$20.

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

22074. Adulteration and misbranding of butter. U. S. v. Abe Shaffner, Carl Pollak, Morris Greenwald, Richard Jorritsma, and Max Hirsch (The Cassopolis Creamery). Plea of guilty. Fine, \$50. (F. & D. no. 30262. Sample no. 28757-A.)

This case was based on an interstate shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat.

On September 27, 1933, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Abe Shaffner, Carl Pollak, Morris Greenwald, Richard Jorritsma, and Max Hirsch, trading as the Cassopolis Creamery, Cassopolis, Mich., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 30, 1933, from the State of Michigan into the State of Indiana, of a quantity of butter that was adulterated and misbranded. The article was labeled in part: (Cartons) "Diamond Lake Brand Finest Creamery Butter * * * The Cassopolis Creamery, Cassopolis, Mich."

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", borne on the label, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since it was not butter as defined by law.

On February 20, 1934, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$50.

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

22075. Adulteration and misbranding of potatoes. U. S. v. Chetek Equity Cooperative Produce Co. Plea of guilty. Fine, \$10. (F. & D. no. 30296. Sample nos. 3098-A, 3099-A.)

This case was based on an interstate shipment of potatoes which were labeled "U. S. Grade No. 1" but which contained excessive grade defects consisting principally of deep-pitted scab, growth cracks, and badly misshapen potatoes.

On October 6, 1933, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chetek Equity Cooperative Produce Co., a corporation, Chetek, Wis., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 14, 1932, from the State of Wisconsin into the State of Illinois, of a quantity of potatoes that were adulterated and misbranded.

It was alleged in the information that the article was adulterated in that potatoes of a lower grade had been substituted for U. S. Grade No. 1 potatoes, which the article purported to be.

Misbranding was alleged for the reason that the statement, "U. S. Grade No. 1 Potatoes", borne on the label was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since it failed to meet the requirements for U. S. Grade No. 1 potatoes.

On February 23, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$10.

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