

and misbranded. The product was contained in gallon, quart, and pint bottles, the gallon size having the statement "One Gallon" blown in the bottle and the statement "12 oz." printed on the label, and the quart and pint sizes having the statements "32" and "16 oz.", respectively, printed on the labels. The article was further labeled: "S. S. P. Brand Vinegar 65% Distilled and 35% Sugar Reduced to 4% Acetic Strength Distributed by Sunny South Products Co. * * * Memphis, Tenn."

The article was alleged to be adulterated in that a product deficient in acidity, since it contained less than 4 percent of acetic acid, had been substituted for vinegar containing 4 percent of acetic acid, which the article purported to be.

Misbranding was alleged for the reason that the statement "Vinegar * * * Reduced to 4% Acetic Strength", borne on the bottle labels, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since it contained less than 4 percent of acetic acid. 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, in that the statements on the labels were not in proper form and were not all correct, since the pint bottles bore the statement "16 oz.", whereas they should have been labeled "One Pint", one of the bottles so labeled being only of 14-ounce capacity; the gallon bottles bore on the label the statement "12 oz.", whereas they should have been labeled "One Gallon"; and the quart bottles bore on the label the statement "32", whereas they should have been labeled "One Quart."

On November 24, 1934, a plea of guilty was entered and the court imposed a fine of \$50.

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

23880. Adulteration of butter. U. S. v. Genoa Cooperative Creamery Co. Plea of guilty. Fine, \$10. (F. & D. no. 32175. Sample no. 40363-A.)

This case was based on an interstate shipment of butter that contained less than 80 percent of milk fat.

On June 19, 1934, 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 Genoa Cooperative Creamery Co., a corporation, Genoa, Wis., alleging shipment by said company in violation of the Food and Drugs Act on or about August 30, 1933, from the State of Wisconsin into the State of Illinois, of a quantity of butter which was adulterated.

The article was alleged to be 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 prescribed by act of Congress of March 4, 1923.

On November 12, 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.*

23881. Adulteration of canned salmon. U. S. v. Superior Packing Co. Plea of guilty. Fine, \$300 and costs on count 1; \$300 on each of remaining counts; fines on all counts but first suspended. (F. & D. no. 32184. Sample nos. 15274-A, 15284-A, 25566-A, 25576-A, 25578-A, 25581-A, 25582-A, 25584-A, 25585-A, 25586-A, 25587-A, 25607-A, 25610-A, 25612-A, 25617-A, 25618-A.)

U. S. v. Superior Packing Co. (3 informations). Pleas of guilty. Fines, \$300 and costs in each case; fines suspended on payment of costs. (F. & D. nos. 32179, 32180, 32185. Sample nos. 5193-A, 5194-A, 5195-A, 7725-A, 13315-A, 18430-A, 21010-A, 21761-A, 26763-A, 26764-A, 26769-A, 26770-A, 26783-A, 26784-A, 16786-A, 28818-A, 28819-A, 28820-A, 30706-A.)

These cases were based on shipments of canned salmon, samples of which were found to be tainted or stale.

On September 17, September 21, and October 11, 1934, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court four informations against the Superior Packing Co., a corporation, Seattle, Wash., alleging shipment by said company between the dates of July 9 and September 6, 1932, from Tenakee, Alaska, into the State of Washington of quantities of salmon which was adulterated; and between the dates of August 19 and October 8, 1932, from the State of Washington into the States of Illinois, Pennsylvania, Mon-