

Wisconsin Leader Quality Potatoes Herman Hartwig Peshtigo, Wis. 100 Lbs. Net When Packed."

The potatoes were alleged to be adulterated in that potatoes of a lower grade than United States grade No. 1 had been substituted wholly or in part for potatoes of said grade which the potatoes purported to be.

The potatoes were alleged to be misbranded in that the statement, "U. S. No. 1 * * * Potatoes", borne on the sacks, was false and misleading, and in that by reason of said statement the potatoes were labeled so as to deceive and mislead the purchaser, since the statement represented that the potatoes were United States grade No. 1 potatoes; whereas, in fact, they were of a grade lower than said grade.

On November 18, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$5.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25277. Adulteration of butter. U. S. v. Henry L. Mickelson (Canton Creamery Co.). Plea of guilty. Fine, \$25. (F. & D. no. 34043. Sample no. 7257-B.)

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

On June 21, 1935, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry L. Mickelson, trading as the Canton Creamery Co., Canton, S. Dak., charging shipment by said defendant in violation of the Food and Drugs Act, on or about August 4, 1934, from the State of South Dakota into the State of New York, 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 must contain not less than 80 percent by weight of milk fat as required by the act of Congress of March 4, 1923, which the article purported to be.

On November 19, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$25.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25278. Adulteration of butter. U. S. v. John Morrell & Co. Plea of guilty. Fine, \$50. (F. & D. no. 34044. Sample nos. 65747-A, 65749-A.)

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

On September 3, 1935, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John Morrell & Co., a corporation, Sioux Falls, S. Dak., charging shipment by said defendant in violation of the Food and Drugs Act, on or about June 20, 1934, from the State of South Dakota 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 must contain not less than 80 percent by weight of milk fat as required by the act of Congress of March 4, 1923, which the article purported to be.

On October 9, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

25279. Adulteration of canned sardines. U. S. v. California Packing Corporation. Plea of guilty. Fine, \$240. (F. & D. no. 34051. Sample nos. 12608-A, 41463-A, 41464-A, 41470-A, 41997-A, 56605-A, 61594-A, 61595-A, 61678-A, 61741-A, 62720-A, 72252-A, 72253-A, 72256-A, 72328-A.)

This case was based on interstate shipments of canned sardines which were found to be in part decomposed.

On July 12, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the California Packing Corporation, San Francisco, Calif., charging shipment by said corporation, in violation of the Food and Drugs Act, on or about October 2, 4, 5, 10, 23, and 25, and November 15, 1933, from the State of California into the States of South Dakota, Colorado, Utah, Texas, New York, Montana, and Pennsylvania, of quantities of canned sardines which were adulterated.

The article was labeled, variously, in part: "Del Monte Brand Quality California Sardines Tomato Sauce California Packing Corporation Main Office