

for butter established by act of Congress, and the packages contained less than 1 pound net.

On March 19, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$50.

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

22226. Adulteration and misbranding of butter. U. S. v. Brooklawn Creamery Co. Plea of guilty. Fine, \$32. (F. & D. no. 31438. Sample nos. 17232-A, 17233-A, 20325-A, 23163-A.)

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

On March 24, 1934, 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 the Brooklawn Creamery Co., a corporation, Salt Lake City, Utah, alleging shipment by said company in violation of the Food and Drugs Act, on or about September 9, 1932, and May 27, 1933, from the State of Utah into the State of California, and on or about May 4, 1933, from the State of Utah into the State of Nevada, of quantities of butter which was adulterated and misbranded. The article was labeled in part, variously: "Brooklawn Pasteurized Butter Guaranteed By Brooklawn Creamery Co., Salt Lake City, Utah"; "Meadow Valley Butter * * * Packed especially for Ben Valle Co. Los Angeles, Calif."; "Little Lake Creamery Brand Butter * * * Put up for Little Lake Creamery."

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

Misbranding was alleged for the reason that the statement, "Butter" borne on the labels, was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since it contained less than 80 percent of milk fat, the standard for butter established by act of Congress.

On April 21, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$32.

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

22227. Adulteration of dried figs. U. S. v. Henry J. Giebler (H. J. Giebler, Giebler's Fig Gardens). Plea of guilty. Fine, \$50. (F. & D. no. 31440. Sample nos. 12954-A, 25980-A, 25981-A.)

This case was based on interstate shipments of dried figs which were found to be in part insect-infested, moldy, or sour.

On March 5, 1934, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry J. Giebler, trading as H. J. Giebler and as Giebler's Fig Gardens, alleging shipment by said defendant on or about October 12 and November 16, 1932, from the State of California into the State of Washington, of quantities of dried figs which were adulterated. The article was labeled in part: "Calimyrna Figs Sun Dried [or "White California Figs"] Washed and Ready to Eat. Packed by Giebler's Fig Gardens, Merced, Calif."

It was alleged in the information that the article was adulterated in that it consisted in part of decomposed and filthy vegetable and animal substances, the animal substances consisting of dead worms and beetles and excreta from worms.

On April 2, 1934, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and ordered that the defendant stand committed to a county jail for nonpayment, which commitment was suspended for 2 years on condition that he refrain from violating any laws of the United States, particularly those relating to the pure food laws.

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

22228. Adulteration of canned salmon. U. S. v. Libby, McNeill & Libby. Plea of guilty. Fine, \$450 and costs. (F. & D. no. 31463. Sample nos. 14837-A, 14839-A, 14840-A, 25876-A, 25882-A, 25886-A, 26039-A, 26041-A.)

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

On February 28, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed