

misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since the said statement and design represented that the article consisted in part of string beans and pimentos, whereas it contained no string beans and pimentos.

On June 23, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

22726. Adulteration of tullibeas. U. S. v. Oliver J. Selvog. Plea of guilty. Fine, \$40. (F. & D. no. 32176. Sample nos. 43856-A, 43857-A.)

This case was based on shipments of tullibeas that contained cysts of parasitic worms.

On May 24, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Oliver J. Selvog, Warroad, Minn., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about September 21 and September 23, 1933, from the State of Minnesota into the State of New York, of quantities of tullibeas which were adulterated. The article was labeled, "From O. J. S. Address Warroad", or "From Oliver Selvog, Address Warroad."

It was alleged in the information that the article was adulterated in that it consisted in part of filthy animal substances, namely, cysts; and in that it consisted of portions of animals unfit for food.

On June 25, 1934, the defendant entered a plea of guilty and the court imposed a fine of \$40.

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

22727. Adulteration of butter. U. S. v. Sentinel-Missoula Creamery, Inc. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 32203. Sample nos. 54756-A, 54757-A, 54758-A.)

This case was based on interstate shipments of two lots of butter that contained less than 80 percent of milk fat.

On July 12, 1934, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sentinel-Missoula Creamery, Inc., a corporation, Missoula, Mont., alleging shipment by said company in violation of the Food and Drugs Act, on or about December 30, 1933, and January 2, 1934, from the State of Montana into the State of Washington, of quantities of butter which was adulterated.

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 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 July 19, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

22728. Adulteration and misbranding of butter. U. S. v. Edelstein Dairy Co., Inc. Plea of nolo contendere. Fine, \$50. (F. & D. no. 32112. Sample no. 43258-A.)

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

On May 8, 1934, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Edelstein Dairy Co., Inc., trading at Hartford, Conn., alleging shipment by said company in violation of the Food and Drugs Act, on or about June 12, 1933, from the State of Connecticut into the State of New York, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "Edelstein Dairy Company, * * * Brooklyn, N. Y."

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 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.