quality and strength, and had been substituted in part for oyster meat, which the article purported to be.

Misbranding was alleged for the reason that the statements, "Oysters" and "Net Contents 5 Ounces Oyster Meat", borne on the label, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since the said statements represented that the article consisted wholly of oysters and that each of the cans contained 5 ounces of oyster meat; whereas it did not consist wholly of oysters, but did consist in part of excessive brine, and each of said cans did not contain 5 ounces but did contain a less amount. 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.

On February 28, 1935, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $100.

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

24180. Adulteration of oysters. U. S. v. Wallace M. Quinn (The Wallace M. Quinn Co.). Plea of nolo contendere. Fine, $25 and costs. (F. & D. no. 29342. I. S. nos. 43251, 43252.)

This case was based on an interstate shipment of oysters which were found to contain added water.

On May 2, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Wallace M. Quinn, trading as the Wallace M. Quinn Co., Crisfield, Md., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about December 21, 1931, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated. The article was labeled in part: "Packed By The Wallace M. Quinn Co. Crisfield, Md."

The article was alleged to be adulterated in that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and in that an added substance, water, had been substituted in part for the article.

On January 9, 1935, the defendant entered a plea of nolo contendere, and the court imposed a fine of $25 and costs.

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

24181. Adulteration of butter. U. S. v. Eustis Cooperative Creamery Co. Plea of guilty. Fine, $50. (F. & D. no. 29414. Sample no. 10397-A.)

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

On August 8, 1933, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Eustis Cooperative Creamery Co., a corporation, Eustis, Nebr., alleging shipment by said company on or about May 3, 1932, from the State of Nebraska 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 should contain not less than 80 percent of milk fat as required by the act of Congress of March 4, 1923, which the article purported to be.

On March 4, 1935, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $50.

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

24182. Adulteration and misbranding of butter. U. S. v. Paul A. Schulze Co. Plea of nolo contendere. Fine, $300. (F. & D. no. 29525. Sample nos. 10940-A, 10941-A, 34880-A, 34884-A.)

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

On February 5, 1934, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Paul A. Schulze Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about May 19, 1932, from the State of Missouri into the State of New York, and on or about January 24 and February 4, 1933, from the State of Missouri into the State of Pennsylvania, of quantities of butter which was adulterated and misbranded. The article was labeled in