

The article was alleged to be misbranded in that the statement "Guaranteed Analysis Protein, Minimum 45.00%", borne on the label, 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 45 percent of protein.

On February 25, 1935, the case having been submitted to the court without a jury, judgment of guilty was entered and the court imposed a fine of \$25.

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

24185. Adulteration and misbranding of peanut meal. U. S. v. DeLeon Peanut Co. Plea of guilty. Fine, \$200. (F. & D. no. 31367. Sample no. 16972-A.)

This case was based on an interstate shipment of peanut meal which was adulterated because of deficiency in protein and misbranded because of failure to declare the quantity of the contents.

On January 15, 1934, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the DeLeon Peanut Co., a corporation, DeLeon, Tex., alleging shipment by said company in violation of the Food and Drugs Act as amended on or about December 12, 1932, from the State of Texas into the State of Missouri, of a quantity of peanut meal which was adulterated and misbranded. The article was invoiced as 43 percent protein peanut meal.

The article was alleged to be adulterated in that a product containing less than 43 percent of protein had been substituted for 43 percent protein peanut meal, which the article purported to be.

Misbranding was alleged for the 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 January 11, 1935, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$200.

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

24186. Adulteration of apples. U. S. v. Harold D. Comfort. Plea of guilty. Fine, \$1. (F. & D. no. 31386. Sample no. 15695-A.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On June 28, 1934, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harold D. Comfort, Lawrence, Kans., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about September 14, 1932, from the State of Arkansas into the State of Kansas, of a quantity of apples which were adulterated.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, namely, arsenic and lead, which might have rendered it injurious to health.

On September 17, 1934, the defendant entered a plea of guilty and the court imposed a fine of \$1.

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

24187. Adulteration of apples. U. S. v. Cecil Johnston. Plea of guilty. Fine, \$2. (F. & D. no. 31389. Sample nos. 15704-A, 15716-A.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On June 28, 1934, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Cecil Johnston, Vinita, Okla., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 6 and October 18, 1934, from the State of Arkansas into the State of Oklahoma, of a quantity of apples which were adulterated.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, namely, arsenic and lead, which might have rendered it injurious to health.

On January 16, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$2.

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

24188. Adulteration of apples. U. S. v. Fred Gordon. Plea of guilty. Fine, \$1. (F. & D. no. 31398. Sample nos. 25356-A, 25361-A.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.