

24203. Adulteration of butter. U. S. v. H. Arthur Hewett and Joseph H. Eckel (Durant Ice Cream & Creamery Co.). Plea of guilty. Fine, \$50. (F. & D. no. 32181. Sample nos. 40310-A, 40338-A.)

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

On September 13, 1934, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against H. Arthur Hewett and Joseph H. Eckel, co-partners, trading as the Durant Ice Cream & Creamery Co., Durant, Okla., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about July 26 and August 9, 1933, from the State of Oklahoma into the State of Illinois, of quantities 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 by weight of milk fat, as prescribed by the act of March 4, 1923, which the article purported to be.

On September 13, 1934, a plea of guilty was entered to the information and the court imposed a fine of \$50.

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

24204. Adulteration and misbranding of butter. U. S. v. Wilmer E. Scott. Plea of guilty. Fine, \$25. (F. & D. no. 32187. Sample no. 54368-A.)

This case was based on an interstate shipment of butter that was deficient in milk fat and which failed to bear on the packages a statement of the quantity of the contents.

On July 18, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Wilmer E. Scott, Philadelphia, Pa., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about December 13, 1933, from the State of Pennsylvania into the State of Maryland of a quantity of butter which was adulterated and misbranded.

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 by weight of milk fat as prescribed by the act of March 4, 1923, 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 March 29, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$25.

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

24205. Adulteration of butter. U. S. v. Rosebud Creamery Co. Plea of guilty. Fine, \$25. (F. & D. no. 32192. Sample no. 40370-A.)

This case was based on an interstate shipment of butter, samples of which were found to contain less than 80 percent of milk fat.

On November 30, 1934, 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 the Rosebud Creamery Co., a corporation, Gregory, S. Dak., alleging shipment by said company in violation of the Food and Drugs Act, on or about September 9, 1933, 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 deficient in milk fat, since it contained 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 January 12, 1935, 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.*

24206. Adulteration of butter. U. S. v. Hopkinton Cooperative Creamery Association. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 32196. Sample no. 51920-A.)

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

On October 10, 1934, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district