

**24833. Adulteration of butter. U. S. v. Cecil Harris, Vernon Fox, Lee Hentzen, and Gustav E. Fischer (Hi-Quality Dairy Products Co.). Pleas of guilty. Fines, \$100. (F. & D. no. 33935. Sample no. 70765-A.)**

This case involved a shipment of butter that contained less than 80 percent by weight of milk fat.

On April 5, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Cecil Harris, Vernon Fox, Lee Hentzen, and Gustav E. Fischer, copartners trading as the Hi-Quality Dairy Products Co., Kansas City, Mo., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about June 23, 1934, from the State of Missouri into the State of New York of a quantity of butter that 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 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 June 24, 1935, the defendants entered pleas of guilty and the court imposed fines in the total amount of \$100.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24834. Adulteration of butter. U. S. v. Gordon Cooperative Creamery Co. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. no. 33936. Sample no. 6466-B.)**

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

On February 15, 1935, 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 Gordon Cooperative Creamery Co., a corporation, Gordon, Nebr., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 4, 1934, 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 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 September 16, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$25 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24835. Misbranding of rye middlings. U. S. v. Eagle Roller Mill Co. Plea of guilty. Fine, \$25. (F. & D. no. 33937. Sample no. 68562-A.)**

This case was based on an interstate shipment of feed which was represented to consist of rye middlings, but which consisted in part of screenings or scourings or both screenings and scourings.

On June 11, 1935, 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 the Eagle Roller Mill Co., a corporation, New Ulm, Minn., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 26, 1934, from the State of Minnesota into the State of Maryland, of a quantity of alleged rye middlings which were misbranded. The article was labeled in part: "Rye Middlings."

The article was alleged to be misbranded in that the statement "Rye Middlings", borne on the tag attached to the sack containing the article, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since it was not rye middlings, but was rye middlings and screenings and/or scourings. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On June 11, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24836. Adulteration of confectionery. U. S. v. William Horowitz (W. Horowitz, F. Herbert, Frank Herbert). Plea of guilty. Fines, \$50 on each of 16 counts. Sentence suspended on all counts but the first. (F. & D. no. 33940. Sample nos. 46130-A, 46131-A, 57992-A, 57993-A, 57994-A, 6709-B to 6722-B, incl.)**

This case was based on interstate shipments of confectionery that contained alcohol.