16979. Misbranding of feed. U. S. v. Akron Feed & Milling Co. Plea of nolo contendere. Fine, $250 and costs. (F. & D. No. 23757. I. S. Nos. 012401, 012402, 012406.)

On November 20, 1929, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Akron Feed & Milling Co., a corporation, Akron, Ohio, alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about December 29, 1928, and January 3, 1929, respectively, from the State of Ohio into the State of Maryland, of quantities of feed which was misbranded. A portion of the article was labeled in part: "Unaflo 24% Dairy Ration Analysis Protein 24% * * * Made by The Akron Feed & Milling Co. Akron, Ohio." The remainder of the said article was labeled in part: "Ohio Dairy Feed Analysis Protein 16% * * * Made By The Akron Feed & Milling Co. Akron, Ohio."

It was alleged in the information that the article was misbranded in that the statements, to wit, "Analysis Protein 24%" and "Analysis Protein 16%," borne on the respective labels, were false and misleading in that the said statements represented that the article contained 24 per cent, or 16 per cent, as the case might be, of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained 24 per cent or 16 per cent, as the case might be, of protein; whereas the said article contained less protein than represented, the two lots of the Unaflo dairy ration containing approximately 19.90 per cent, and 20.29 per cent, respectively, of protein, and the Ohio dairy feed containing approximately 11.01 per cent of protein.

On January 2, 1930, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of $250 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16980. Adulteration of butter. U. S. v. North American Creamery Co. Plea of guilty. Fine, $25 and costs. (F. & D. No. 19712. I. S. No. 22569–v.)

On May 25, 1926, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the North American Creamery Co., a corporation, Paynesville, Minn., alleging shipment by said company in violation of the food and drugs act, on or about February 10, 1925, from the State of Minnesota into the State of Massachusetts, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the article purported to be.

On November 23, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $25 and costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16981. Misbranding of butter and cheese. U. S. v. Phenix Cheese Corporation. Plea of guilty. Fine, $200. (F. & D. No. 22558. I. S. Nos. 16209–x, 16744–x, 16745–x.)

On September 26, 1929, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Phenix Cheese Corporation, trading at New York, N. Y., alleging shipment by said company, in violation of the food and drugs act as amended, on or about March 28, 1927, from the State of New York into the State of Maryland, of a quantity of butter, and on or about July 13, 1927, and July 26, 1927, respectively, from the State of New York into the State of New Jersey, of two consignments of cheese, which said products were misbranded. The butter was contained in packages labeled in part: "Fancy Print Butter * * * Eight Ounces." The two consignments of cheese were contained in packages labeled in part, respectively: "Tasty Cheese * * * Net Weight 3½ Ounces * * * Phenix Cheese Corporation New York," and "Phenix Pasteurized-