

Screenings", with respect to one lot, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since all lots contained less than 16 percent of protein, certain lots contained more than 7 percent of crude fiber, certain lots contained less than the declared amount of fat, namely, 4 percent or 3.75 percent, and one lot did not consist solely of wheat shorts and ground wheat screenings, but did consist in part of added undeclared rice and rice by-product, i. e., rice bran and starch.

On September 27, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

**22881. Adulteration of evaporated apple chops. U. S. v. Gilbert Apple Products Co., Inc. Plea of guilty. Fine, \$100. (F. & D. no. 31486. Sample no. 35428-A.)**

This case was based on a shipment of apple chops, samples of which were found to be insect-infested, filthy, or rotten.

On April 16, 1934, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Gilbert Apple Products Co., Inc., Rochester, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 25, 1933, from the State of New York into the State of Illinois, of a quantity of evaporated apple chops which were adulterated.

The article was alleged to be adulterated in that it consisted in part of a decomposed and filthy vegetable and animal substance.

On September 18, 1934, 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.*

**22882. Adulteration of gray shorts. U. S. v. The Larabee Flour Mills Co. Plea of guilty. Fine, \$10. (F. & D. no. 31510. Sample no. 19824-A.)**

This case was based on a shipment of alleged gray shorts which were found, upon examination, to consist of finely ground brown shorts containing more fiber than declared on the label.

On June 28, 1934, 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 the Larabee Flour Mills Co., a corporation, trading at Kansas City, Mo., alleging shipment by said company, on or about November 4, 1932, from the State of Missouri into the State of Kansas of a quantity of alleged gray shorts which were adulterated. The article was labeled in part: (Tag) "Sunfed Winter Wheat Gray Shorts With Ground Wheat Screenings \* \* \* Manufactured By The Larabee Flour Mills Company, Kansas City, Missouri Commander-Larabee Corporation, Owners, Minneapolis, Minnesota Guaranteed Analysis \* \* \* Crude Fibre, not more than 6.00%."

The article was alleged to be adulterated in that a product, brown shorts which contained more than 6 percent of crude fiber, i. e., not less than 7.99 percent of crude fiber had been substituted for gray shorts containing not more than 6 percent of crude fiber, which the article purported to be.

On September 7, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$10.

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

**22883. Misbranding of macaroni. U. S. v. U. S. Macaroni Manufacturing Co. Plea of nolo contendere. Fine, \$100. (F. & D. no. 31518. Sample no. 37273-A.)**

This case was based on a shipment of macaroni which was incorrectly marked as to the quantity of the contents, since the boxes contained less than declared on the label.

On April 28, 1934, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the U. S. Macaroni Manufacturing Co., a corporation, Spokane, Wash., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about June 1, 1933, from the State of Washington into the State of Idaho, of a quantity of macaroni which was misbranded. The article was labeled in part: (Box) "Macaroni