

On December 12, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$80 and costs.

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

23351. Misbranding of alfalfa leaf meal. U. S. v. Saunders Mills, Inc. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. no. 33762. Sample nos. 19179-A, 19180-A.)

This case was based on interstate shipments of alfalfa meal and alfalfa leaf meal that contained less protein and more fiber than declared on the labels.

On November 13, 1934, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Saunders Mills, Inc., Toledo, Ohio, alleging shipment by said company in violation of the Food and Drugs Act, on or about October 18 and 27, 1933, from the State of Ohio into the State of Indiana, of quantities of alfalfa leaf meal which was misbranded. Both shipments were labeled: (Tag) "Alfalfa Leaf Meal Registered by Saunders Mills, Inc., Toledo, Ohio Guaranteed Analysis Crude Protein, not less than 20.0% * * * Crude Fiber, not more than 18.0%." One lot bore a second tag reading in part: "Alfalfa Meal * * * Manufactured By Saunders Mills, Inc., Toledo, Ohio Leaf Velvet Brand Made Principally from Alfalfa Leaves. Guaranteed Analysis Crude Protein, not less than 20.0 Per Cent * * * Crude Fibre, not more than 18.0 Per Cent."

The article was alleged to be misbranded in that the statements, "Guaranteed Analysis Crude Protein, not less than 20.0% [or "20.0 Per Cent"] * * * Crude Fiber, not More than 18.0% [or "18.0 Per Cent"]", borne on the tags, were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since it contained less than 20 percent of crude protein and more than 18 percent of crude fiber.

On January 2, 1935, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

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

23352. Misbranding of Arcadia sweet relish, hot relish, and pepper hash. U. S. v. Kirgan's Arcadia Farms, Inc. Plea of guilty. Fine, \$35. (F. & D. no. 33763. Sample nos. 38470-A, 38471-A, 38472-A.)

Sample jars of the products involved in this case were found to contain less than 8 ounces, the weight declared on the label.

On September 17, 1934, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Kirgan's Arcadia Farms, Inc., Cincinnati, Ohio, alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about January 28, 1934, from the State of Ohio into the State of California, of quantities of relishes, etc., which were misbranded. The articles were labeled in part: "Kirgan's Arcadia Farm Products Net Wt. 8 Oz. Avd. 'Arcadia' Sweet Relish [or "Hot Relish" or "Pepper Hash"] * * * Kirgan's Arcadia Farms Incorporated * * * Cincinnati, Ohio."

The articles were alleged to be misbranded in that the statement, "Net Wt. 8 oz. Avd.," borne on the jar labels, was false and misleading, and in that the said statement was borne on the label so as to deceive and mislead the purchaser, since each of nearly all of the jars examined contained less than 8 ounces. Misbranding was alleged for the further reason that the articles were foods in package form and the quantities of the contents were not plainly and conspicuously marked on the outside of the packages, since the statement made was incorrect.

On October 17, 1934, a plea of guilty was entered on behalf of the defendant company, and on October 19, 1934, the court imposed a fine of \$35.

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

23353. Adulteration and misbranding of butter. U. S. v. Chapin & Adams Co. Plea of nolo contendere. Fine, \$100. (F. & D. no. 33769. Sample no. 47019-A.)

This case was based on an interstate shipment of oleomargarine labeled as "Creamery Butter."

On September 12, 1934, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed