

27285. Adulteration and misbranding of butter. U. S. v. Challenge Cream & Butter Association. Plea of guilty. Fine, \$50. (F. & D. no. 38002. Sample nos. 46707-B, 46725-B, 46730-B, 46732-B, 46740-B.)

This case involved butter that contained less than 80 percent of milk fat.

On September 12, 1936, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Challenge Cream & Butter Association, a corporation, at San Francisco, Calif., alleging that the defendant sold on or about January 14, 28, and 31, 1936, to the American Factors, Ltd., San Francisco, Calif., quantities of butter under a guaranty that it complied with the requirements of the Federal Food and Drugs Act; that subsequently the American Factors, Ltd. shipped the article in the identical condition as when so sold on or about the date of said sale from the State of California into the Territory of Hawaii, and that the article was adulterated and misbranded in violation of said act. The information further alleged that the defendant company had shipped on or about January 21, 1936, from the State of California into the Territory of Hawaii a quantity of butter that was adulterated and misbranded. The cases were labeled in part: "Challenge Butter Challenge Cream & Butter Assn." A portion of the cartons were labeled: "The Genuine Modesto Butter * * * Manufactured By Milk Producers Association of Central California." The remainder of the cartons were labeled: "Danish Creamery Pasteurized Butter Danish Creamery Association Distributed by Challenge Cream and Butter Ass'n. Los Angeles."

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, which the said article purported to be.

It was alleged to be misbranded in that there were borne on the cases and cartons aforesaid the statements "Challenge Butter" and "The Genuine Modesto Butter", respectively; in that said article contained less than 80 percent by weight of milk fat; that each of said statements was false and misleading when applied to an article of food containing less than 80 percent by weight of milk fat.

On May 22, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

H. A. WALLACE, *Secretary of Agriculture.*

27286. Adulteration of canned salmon. U. S. v. Libby, McNeill & Libby, a corporation. Plea of guilty. Fine, \$25. (F. & D. no. 38015. Sample nos. 40884-B, 40922-B, 65188-B, 66834-B.)

This case involved canned salmon that was decomposed in part.

On December 30, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information (amended March 10, 1937) against Libby, McNeill & Libby, a corporation, Seattle, Wash., alleging shipment by said company in violation of the Food and Drugs Act during the months of July and August 1935, from the Territory of Alaska into the State of Washington of a number of cases of canned salmon that was adulterated. A portion of the article was labeled: "Libby Fancy Red Alaska Salmon Packed in Alaska by Libby, McNeill & Libby Chicago."

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

On June 1, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

H. A. WALLACE, *Secretary of Agriculture.*

27287. Adulteration of canned salmon. U. S. v. Pacific American Fisheries, Inc. Plea of guilty. Fine, \$85 and costs. (F. & D. no. 38032. Sample nos. 55178-B, 55569-B, 63083-B, 63084-B.)

This case involved canned salmon that was in part decomposed.

On December 18, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Pacific American Fisheries, Inc., trading at South Bellingham, Wash., alleging shipment by said company in violation of the Food and Drugs Act, on or about November 15, 1935, and February 27, 1936, from the State of Washington into the States of Illinois and Minnesota of quantities of canned salmon that was adulterated. Portions of the article were labeled: (Cans) "White City Brand Fancy Pink Salmon * * * Samuel Kunin & Sons, Inc. Distributors Chicago, Ill."; and "Table Talk Alaska Red Sockeye Salmon * * * Table Talk Food Products Packed for Rust-Parker