in imitation of fine ground feeding oatmeal and was offered for sale and was sold under the distinctive name of another article.

On October 10, 1939, a plea of guilty was entered and the court imposed a fine of $5 and costs.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30949. Adulteration and misbranding of horseradish. U. S. v. H. M. Field, Inc. Plea of guilty. Defendant fined $50 and placed on probation for 3 months. (F. & D. No. 42662. Sample Nos. 25449–D, 25459–D, 25476–D.)

This product consisted of a mixture of ground turnip, cornstarch, and mustard oil.

On June 23, 1939, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against H. M. Field, Inc., New York, N. Y., alleging shipment by said corporation in violation of the Food and Drugs Act on or about April 16 and 28 and June 3, 1938, from the State of New York into the State of Connecticut, of quantities of horseradish which was adulterated and misbranded. A portion of the product was labeled in part: "Field's Best Horseradish." The remaining portion was invoiced as horseradish, but was unlabeled.

The article was alleged to be adulterated in that a mixture which consisted of ground turnip, parsnip, cornstarch, and mustard oil had been substituted for horseradish.

Misbranding was alleged with respect to two of the lots in that the statement "Horseradish," borne on the jar labels was false and misleading and tended to deceive and mislead the purchaser, since the article did not consist of horseradish. It was alleged to be misbranded further in that it was a mixture of ground turnip, parsnip, cornstarch, and mustard oil, prepared in imitation of horseradish; and was offered for sale and sold under the distinctive name of another article. The unlabeled portion was alleged to be misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 30, 1939, a plea of guilty having been entered, the defendant was fined $50 and placed on probation for a period of 3 months.

GROVER B. HILL, *Acting Secretary of Agriculture.*

30950. Adulteration and misbranding of pulverized oats, feeding oatmeal, ground oats, flour middlings, and red dog feed. U. S. v. G. Fred Obrecht (P. Fred'k Obrecht & Son). Plea of guilty. Fine, $55 and costs. (F. & D. No. 42563. Sample Nos. 902–C, 903–C, 4921–D to 4929–D, inclusive.)

This case involved interstate shipment of the following feeds: Products represented to be feeding oatmeal, pulverized oats, and ground oats which contained in addition to such substances other ingredients such as rice hulls, rice fragments, rice bran, barley, barley hulls, cassava meal, and starch other than oat starch; flour middlings which consisted of wheat products and cassava meal; and red dog feed which consisted of wheat flour and tissues, rye flour and tissues, and cassava meal.

On October 19, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against G. Fred Obrecht, trading as P. Fred'k Obrecht & Son at Baltimore, Md., alleging shipment by him in violation of the Food and Drugs Act within the period from about August 7 to about December 27, 1937, from Baltimore, Md., into the State of Massachusetts of quantities of pulverized oats, fine ground feeding oatmeal, ground oats, Draco Flour Middlings, and Farmso Red Dog Feed which were adulterated and misbranded. They were labeled in part, variously: "Hood Mills Company * * * Baltimore, Md."; "Farmers Service Bureau Baltimore, Md."; and "Dried Grains Corporation Baltimore, Md."

The pulverized oats were alleged to be adulterated in that a mixture of finely ground oats, a ground wheat product, and starchy material resembling cassava starch had been substituted for the article in one shipment; a mixture of ground oats and finely ground rice bran had been substituted for the article in two shipments; a mixture of ground oats, rice bran, broken rice, and cassava meal had been substituted for the article in one shipment; and a mixture of pulverized oats, ground rice bran and cassava meal had been substituted for the article in another shipment.

The fine ground feeding oatmeal was alleged to be adulterated in that a mixture of ground oats, finely ground rice bran, rice hulls, broken rice frag-