ized Fancy Creamery Butter * * * Manufactured for Leslie Company, Ltd. San Francisco, Calif."

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, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of Congress of March 4, 1923, which the article purported to be.

The article was alleged to be misbranded in that the statement borne on the label, "Butter", was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since said statement represented that the article was butter, namely, a product containing not less than 80 percent by weight of milk fat, the standard for butter prescribed by act of Congress, whereas the article was not butter but was a product containing less than 80 percent by weight of milk fat.

On September 11, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $40.

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

26382. Misbranding of gray wheat shorts with ground wheat screenings. U. S. v. The Model Mill Co. Fine, $200. (F. & D. no. 37970. Sample nos. 29910–B, 29911–B, 29912–B.)

This case involved feed that contained less crude protein and more crude fiber than declared on the label.

On September 2, 1936, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Model Mill Co., a corporation at Jackson, Tenn., alleging shipment by said defendant on or about December 8 and December 11, 1935, from the State of Tennessee into the State of Alabama of a quantity of feed which was misbranded in violation of the Food and Drugs Act. The article was labeled in part: (Tag) "Model Grey Wheat Shorts With Ground Wheat Screenings, Manufactured by The Model Mill Company Jackson, Tennessee, Guaranteed Analysis Crude Protein, not less than 16.00% * * * Crude Fibre, not more than 7.00%."

The article was alleged to be misbranded in that the statements, "crude protein, not less than 16% * * * crude fiber, not more than 7%", borne on the tags, were false and misleading in that the said statements represented that the article contained not less than 16 percent of crude protein and not more than 7 percent of crude fiber; whereas the article contained less than 16 percent of crude protein and more than 7 percent of crude fiber; and in that it was labeled so as to deceive and mislead the purchaser into the belief that it contained not less than 16 percent of crude protein and not more than 7 percent of crude fiber.

On September 30, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $200.

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

26383. Adulteration of blackberry preserves. U. S. v. National Fruit Canning Co. Plea of guilty. Fine, $200 and costs. (F. & D. no. 37971. Sample no. 65213–B.)

This case involved blackberry preserves that had been made in part from moldy berries.

On September 24, 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 National Fruit Canning Co., a corporation at Seattle, Wash., alleging that on or about March 1, 1936, the said defendant had shipped from the State of Washington into the State of California a quantity of blackberry preserves which were adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Valamont Brand Pure Blackberry Preserves National Fruit Canning Co. Seattle, Wash."

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

On October 17, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $200 and costs.

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