attached to the sacks containing the article, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since they represented that the article was a perfect food made largely from egg and milk, and had a protein content of 18 percent; whereas it was a product consisting mostly of a starchy material, and contained less than 18 percent of protein, namely, not more than 8.88 percent of protein.

On June 1, 1934, the defendant entered a plea of nolo contendere, was adjudged guilty, and fined $30.

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

22379. Adulteration of butter. U. S. v. Hazelwood Co., Ltd. Pleas of guilty. Fines, $30. (F. & D. nos. 29523–A, 29523–B. Sample nos. 1549–A, 1550–A, 1738–A.)

This case was based on shipments of butter which contained less than 80 percent by weight of milk fat.

On September 13, 1933, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court two informations against the Hazelwood Co., Ltd., a corporation, having its principal place of business at Spokane, Wash., and a place of business at Walla Walla, Wash., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 23, 1932, from Spokane, Wash., into the State of Idaho, and on or about May 31, 1932, from Walla Walla, Wash., into the State of Oregon, of quantities of butter which was adulterated. The article was labeled in part: "Jersey Belle [or "Hazelwood"] Butter * * * Hazelwood Co., Ltd., Spokane, Wash."

It was alleged in the informations that the article was adulterated in that a product which contained 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 March 4, 1923, which the article purported to be.

On March 27, 1934, pleas of guilty to both informations were entered on behalf of the defendant company, and the court imposed fines in the amount of $30.

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

22380. Adulteration of vinegar. U. S. v. 117 Half Barrels of Vinegar. Default decree of condemnation and destruction. (F. & D. no. 29645. Sample nos. 26773–A, 26793–A.)

This case involved a shipment of vinegar that contained arsenic in an amount that might have rendered it injurious to health.

On December 15, 1932, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 117 half barrels of vinegar at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce, on or about September 16, 1932, by H. D. Hollwedel from Middleport, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W. E. Mathes Vinegar Co., Pure Apple Cider Vinegar. * * * Albion, N. Y."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, arsenic, which might have rendered it harmful to health.

On January 26, 1933, H. D. Hollwedel intervened as claimant and filed an answer denying the adulteration charge. On May 4, 1934, the case having been called for trial and no representative of the claimant appearing, the court pronounced all parties in interest in default and after hearing the witnesses for the Government, entered judgment of condemnation and ordered that the product be destroyed by the United States marshal and that the claimant pay all costs, including storage and transportation costs.

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

22381. Adulteration of butter. U. S. v. Henry Gerhard (Gray County Creamery). Plea of guilty. Fine, $50. (F. & D. no. 30273. Sample nos. 32009–A, 32010–A.)

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

On January 23, 1934, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry Gerhard, trading as the Gray County Creamery, Pampa, Tex., alleging shipment by said defendant, on or