further reason that an article consisting almost wholly of cottonseed oil had been offered for sale under the distinctive name of another article, olive oil.

On December 5, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $200.

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

23883. Adulteration of butter. U. S. v. Farmers Mutual Cooperative Creamery Assoc. Plea of guilty. Fine, $25 and costs. (F. & D. no. 32199. Sample no. 40390–A.)

This case was based on an interstate shipment of butter that contained less than 80 percent by weight of milk fat.

On October 13, 1934, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Farmers Mutual Cooperative Creamery Association, a corporation, Orange City, Iowa, alleging shipment by said company in violation of the Food and Drugs Act, on or about September 14, 1933, from the State of Iowa into the State of Illinois, of a quantity of butter that was adulterated.

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

On October 23, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of $25 and costs.

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

23884. Misbranding of dairy feed. U. S. v. Frederick A. Hespenheide and John F. Thompson (Hespenheide & Thompson). Pleas of guilty. Fines, $75. (F. & D. no. 32210. Sample nos. 14149–A, 14150–A, 68553–A.)

This case was based on interstate shipments of dairy feed. Samples taken from the various lots were found to contain less protein than declared on the label; two of the lots contained less fat than so declared, and one lot contained no soybean oil meal, one of the ingredients listed.

On July 9, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Frederick A. Hespenheide and John F. Thompson, copartners, trading as Hespenheide & Thompson, York, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about November 9 and November 21, 1933, from the State of Pennsylvania into the State of Maryland of quantities of dairy feed which was misbranded. Two lots of the article were labeled: "Premier 32% Farm Mixing Feed Ingredients * * * Soybean Oil Meal * * * Analysis Min. Protein 32%." One lot was labeled in part: "Premier 24 Dairy Feed Sweet * * * Analysis 24% Protein 4½% Fat * * * Manufactured by Hespenheide & Thompson York, Pa."

The article was alleged to be misbranded in that the statement on the labels, viz, "32% * * * Ingredients * * * Soybean Oil Meal * * * Analysis Min. Protein 32%", with respect to one lot, "32% * * * Analysis Min. Protein 32% Min. Fat 4½%" with respect to one lot, and "24 * * * Analysis 24% Protein 4½% Fat" with respect to the third lot, were false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since all lots contained less protein than declared on the label, two of the lots contained less fat than declared, and one of the lots contained no soybean oil meal, one of the declared ingredients.

On December 10, 1934, the defendants entered pleas of guilty, and the court imposed fines in the total amount of $75.

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

23885. Adulteration of butter. U. S. v. Sardis Creamery Co. Plea of guilty. Fine, $50. (F. & D. no. 32214. Sample no. 51911–A.)

This case was based on an interstate shipment of butter that contained less than 80 percent of milk fat.

On July 16, 1934, the United States attorney for the Northern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Sardis Creamery Co., a corporation, Sardis, Miss., alleging shipment by said company in violation of the Food and