

**3076. Adulteration and misbranding of corn chops. U. S. v. R. J. House. Plea of guilty. Fine of \$50 and costs. (F. & D. No. 5167. I. S. No. 5632-e.)**

On June 20, 1913, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. J. House, doing business under the name of R. J. House & Co., Kansas City, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 25, 1912, from the State of Missouri into the State of Arkansas, of a quantity of corn chops which was adulterated and misbranded. The product was labeled: "100 Lbs. Corn Chops Manufactured by Western Grain Co. Kansas City, Mo. Guaranteed Analysis:

Protein.....	9.00 Per Cent
Fat.....	3.00 Per Cent
Crude Fiber.....	3.50 Per Cent
Carbohydrates.....	70.00 Per Cent
Ingredients Ground Corn Only."	

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the presence of 0.826 per cent of sand in the sample. Adulteration of the product was alleged in the information for the reason that a substance—to wit, sand—had been mixed and packed with it in such a manner as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a substance, to wit, sand, had been substituted in part for corn chops. It was alleged in the information that the product was misbranded in the following particulars:

(1) In that the statements "100 Lbs. Corn Chops" and "Ingredients Ground Corn Only," contained on the labels attached to the sacks and each of them, were false and misleading because they conveyed the impression that the product consisted solely of ground corn, whereas, in truth and in fact, it was not such, but was a mixture of ground corn and sand.

(2) In that the sacks and each of them were labeled and branded so as to deceive and mislead the purchaser, being labeled and branded "100 Lbs. Corn Chops. Ingredients Ground Corn Only," thereby implying and intending that the purchasers should thereby understand that the product consisted solely of ground corn, whereas, in truth and in fact, the sacks, and each of them, contained ground corn and sand.

On December 20, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$50 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

**3077. Adulteration of canned salmon. U. S. v. 24 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5168. S. No. 1780.)**

On April 19, 1913, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 cases, each containing 24 cans of salmon, remaining unsold in the original unbroken packages and in possession of the International Grocery Co., a corporation, Indianapolis, Ind., alleging that the product had been shipped from the State of Missouri into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "4 doz. talls Archer Brand Alaska Salmon. Packed for A. B. Field & Co., Inc., Agents. San Francisco."

Adulteration of the product was alleged in the libel for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On September 26, 1913, the case having come on to be heard on the libel and the decree pro confesso theretofore entered, and the court having considered the same,

judgment of condemnation and forfeiture was entered and it was ordered that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

**3078. Adulteration and misbranding of beer. U. S. v. Evansville Brewing Association. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 5169. I. S. No. 1005-e.)**

At the November, 1913, term of the District Court of the United States for the District of Indiana, the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against the Evansville Brewing Association, a corporation, Evansville, Ind., charging shipment by said association, in violation of the Food and Drugs Act, on September 20, 1912, from the State of Indiana into the State of Louisiana, of a quantity of beer which was adulterated and misbranded. The product was labeled: "Finest barley, malt and choicest hops. Contents 10 ounces liquid alcohol content 3.7%. Good Luck Brand. Trade Mark. Evansville Brewing Ass'n, Incorporated. Rheingold Beer. Brewed and Bottled by Evansville Brewing Ass'n, Evansville, Ind. Guaranteed by the Evansville Brewing Association under the Food & Drugs Act June 30, 1906. Serial No. 11241."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	3.41
Extract (per cent by weight).....	5.33
Extract original wort (per cent by weight).....	10.77
Degree fermentation.....	50.77
Volatile acid, as acetic (grams per 100 cc).....	0.010
Total acid, as lactic (grams per 100 cc).....	0.103
Maltose (per cent).....	1.77
Dextrin (per cent).....	2.50
Ash (per cent).....	0.13
Proteid (per cent).....	0.354
P <sub>2</sub> O <sub>5</sub> (per cent).....	0.048
Undetermined (per cent).....	0.57
Polarization, undiluted, 200 mm tube (°V.).....	+39.6
Color (degrees in ¼-inch cell, Lovibond).....	3

Adulteration of the product was charged in the indictment for the reason that a product brewed from barley, malt, hops, and other cereal products had been substituted in part for a product brewed from hops and malt. Misbranding was alleged for the reason that the statement, "Finest Barley Malt and Choicest Hops," so printed and apparent on the labels attached to the bottles containing the product, regarding the ingredients contained therein, was false and misleading, in that the said product was not brewed only of the finest barley, malt, and choicest hops, but, in truth and in fact, said product was brewed from barley, malt, hops, and cereal products.

On December 16, 1913, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *April 14, 1914.*

**3079. Adulteration and misbranding of special pure lemon and lemon mixture. U. S. v. 4 Dozen Bottles Special Pure Lemon and 10 Dozen Bottles of Eclipse Lemon Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5178. S. No. 1772.)**

On April 24, 1913, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the