18584. Adulteration of canned prunes. U. S. v. 380 Cases of Canned Prunes. Consent decree of condemnation and destruction. (F. & D. No. 25969. I. S. No. 19588. S. No. 4215.)

Samples of canned prunes from the shipment herein described having been found to be partially decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the District of South Dakota.

On March 2, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 380 cases of canned prunes at Aberdeen, S. Dak., alleging that the article had been shipped by Hunt Bros. Packing Co., Salem, Oreg., on or about November 12, 1930, and had been transported from the State of Oregon into the State of South Dakota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Feather River Italian Prunes Packed by Hunt Brothers Packing Company, San Francisco, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On June 20, 1931, the shipper and consignee of the product having appeared and consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18585. Misbranding of butter. U. S. v. Sego Milk Products Co. Plea of guilty. Fine, $10. (F. & D. No. 25728. I. S. No. 018571.)

Samples of butter from the shipment herein described having been found to be short weight, the Secretary of Agriculture reported the matter to the United States attorney for the District of Idaho.

On May 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Sego Milk Products Co., a corporation, trading at Preston, Idaho, alleging shipment by said company, in violation of the food and drugs act as amended, on or about May 16, 1930, from the State of Idaho into the State of Utah, of a quantity of butter which was misbranded. The article was labeled in part: "1 Pound * * * Net Weight."

It was alleged in the information that the article was misbranded in that the statement "1 Pound Net Weight," borne on the package containing the said article, was false and misleading in that the said statement represented that the packages each contained 1 pound of butter; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the packages each contained 1 pound of butter; whereas they did not, but did contain less than 1 pound. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the packages contained less than represented.

On June 24, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $10.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18586. Adulteration of walnut meats. U. S. v. Southern California Supply Co. Plea of guilty. Fine, $225. (F. & D. No. 25721. I. S. Nos. 06225, 022600, 022632.)

Samples of walnut meats from the shipments herein described having been found to be wormy and moldy, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On May 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against the Southern California Supply Co., a corporation, Los Angeles, Calif., alleging shipment by said company, in violation of the food and drugs act, on or about December 3, 1929, from the State of California into the State of Utah; and on or about February 7 and February 18, 1930, from the State of California into the State of Colorado, of quantities of walnut meats which were adulterated. The article was labeled in part: "Invincible Shelled California Walnuts * * * The Southern California Supply Co., Inc., * * * Los Angeles, California."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy and decomposed vegetable substance.

On June 15, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $225.

ARTHUR M. HYDE, *Secretary of Agriculture.*