

**20478. Misbranding of grapefruit juice. U. S. v. West Coast Fruit Co. Plea of guilty. Fine, \$50. (F. & D. no. 28188. I. S. nos. 11416, 11417, 22286.)**

This action was based on the interstate shipments of quantities of canned grapefruit juice, sample cans of which were found to contain less than the declared volume.

On October 21, 1932, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the West Coast Fruit Co., a corporation, Clearwater, Fla., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about December 8, 1930 and April 27, 1931, from the State of Florida into the States of California and Washington, respectively, of quantities of canned grapefruit juice that was misbranded. The article was labeled in part as follows: (Cans) "Dixie-Dainty Brand Florida \* \* \* Grapefruit Juice \* \* \* West Coast Fruit Co., Packers Clearwater, Fla." A number of the cans were labeled, "Contents 11 Ounces", and the remainder were labeled, "Contents 1 Lb. 4 Ozs."

It was alleged in the information that the article was misbranded in that the statements, "Contents 11 Ounces" and "Contents 1 Lb. 4 Ozs.", were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the cans contained less than the amount declared on the label. 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 statements made were incorrect.

On November 5, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20479. Adulteration and misbranding of butter. U. S. v. Springfield Creamery Co., Inc. Plea of guilty. Fine, \$5. (F. & D. no. 28204. I. S. no. 22649.)**

This action involved the interstate shipment of a quantity of butter, which was found to be in violation of the law, since samples contained less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress, and the packages bore no statement of net weight of the contents.

On November 15, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Springfield Creamery Co., Inc., Springfield, Oreg., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about February 29, 1932, from the State of Oregon into the State of Washington, of a quantity of butter that was adulterated and misbranded.

It was alleged in the information that the article was adulterated in that a product deficient in 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 March 4, 1923.

Misbranding was alleged for the 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.

On November 15, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20480. Adulteration of celery. U. S. v. 5 Crates of Celery. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28822. Sample no. 18802-A.)**

Arsenic and lead in amounts which might have rendered the article injurious to health were found on celery taken from the shipment involved in this case.

On August 31, 1932, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five crates of celery, remaining in the original packages at Houston, Tex., alleging that the article had been shipped in interstate commerce by the United Grocers Association on or about August 16, 1932, from Denver, Colo., to Houston, Tex., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered the article injurious to health.

On October 10, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20481. Adulteration of butter. U. S. v. Sugar Creek Creamery Co. Plea of guilty. Fine, \$50.** (F. & D. no. 28165. I. S. nos. 30759, 34364 to 34368, incl.)

This action was based on the interstate shipment of quantities of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On September 13, 1932, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Sugar Creek Creamery Co., a corporation, trading at Danville, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 29, 1931, from the State of Illinois into the State of Pennsylvania, and on or about June 11, 1931, from the State of Illinois into the State of Connecticut, of quantities of butter that was adulterated. A portion of the article was contained in cartons, labeled in part: "Sugar Creek Butter \* \* \* This Butter Churned and Guaranteed by Sugar Creek Creamery Company \* \* \* General Offices, Danville, Ills."

It was alleged in the information that the article was adulterated in that a product deficient in 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 March 4, 1923.

On December 8, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20482. Adulteration of currants. U. S. v. 20 Crates of Currants. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 28616. Sample no. 5210-A.)

Arsenic and lead in amounts that might have rendered the article injurious to health were found on currants taken from the shipment involved in this case.

On July 18, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 crates of currants at Chicago, Ill., alleging that the article had been shipped in interstate commerce by Mrs. Alice Hitchcock, on July 13, 1932, from Ludington, Mich., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered the article injurious to health.

On November 16, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20483. Misbranding of canned cherries. U. S. v. 14 Cases of Canned Cherries. Default decree of destruction.** (F. & D. no. 28952. Sample no. 2877-A.)

This action involved the shipment of a quantity of canned cherries, sample cans of which were found to contain less than the weight declared on the label.

On September 23, 1932, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 14 cases of canned cherries, remaining in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped in interstate commerce on or about August 13, 1932, by the Webster Canning & Preserving Co., from Webster, N.Y., to St. Paul, Minn., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can)