

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

22201-22300

[Approved by the Acting Secretary of Agriculture, Washington, D.C., October 31, 1934]

22201. Adulteration of oysters. U. S. v. Gordon Milbourne and Morris Milbourne (Milbourne Oyster Co.). Pleas of nolo contendere. Judgment of guilty. Fine, \$75 and costs. (F. & D. no. 29373. I.S. nos. 45728, 46015, 47553.)

This case was based on shipments of oysters which contained an excessive amount of water.

On May 2, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Gordon Milbourne and Morris Milbourne, copartners trading as Milbourne Oyster Co., Crisfield, Md., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about November 17, November 18, and November 21, 1931, from the State of Maryland into the States of Ohio, North Carolina, and Missouri, respectively, of quantities of oysters which were adulterated. Certain of the shipments were labeled, "Moco Brand Oysters."

It was alleged in the information that the article was adulterated in that excessive water had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength; in that excessive water had been substituted in part for the article; and in that oyster solids, a valuable constituent of the article, had been in part abstracted.

On May 2, 1934, pleas of nolo contendere were entered, and the court found the defendants guilty and imposed a fine of \$75 and costs.

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

22202. Adulteration of canned salmon. U. S. v. Copper River Packing Co. Plea of guilty. Fine, \$100 and costs. (F. & D. no. 30306. Sample nos. 15056-A, 15235-A, 15244-A, 15281-A, 25972-A.)

Sample cans of salmon taken from the shipment involved in this case were found to be tainted or stale.

On December 18, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Copper River Packing Co., a corporation, Seattle, Wash., alleging shipment by said company on or about August 6, 1932, from the Territory of Alaska into the State of Washington, of quantities of salmon which was adulterated.

It was alleged in the information that the article was adulterated in that it consisted in part of a decomposed and putrid animal substance.

On April 16, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

22203. Misbranding of sirup. U. S. v. Bliss Syrup & Preserving Co. Plea of guilty. Fine, \$120. (F. & D. no. 30328. Sample nos. 2133-A, 2144-A, 2148-A, 2245-A, 2246-A, 2247-A.)

This case was based on several interstate shipments of a product represented to consist of cane-flavored sirup. Examination showed that it was lacking in cane flavor and that the cans contained less than the amount declared on the label.