

district court a libel praying seizure and condemnation of 250 cases of canned shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about September 23, 1933, by the Garner Packing Co., from Gulfport, Miss., 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 consisted in part of a decomposed animal substance.

On April 5, 1934, 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 delivered to the Bureau of Fisheries for use as fish food.

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

22217. Adulteration of canned salmon. U. S. v. Copper River Packing Co. Plea of guilty. Fine, \$240 and costs. (F. & D. no. 31350. Sample nos. 2194-A, 9296-A, 13317-A, 13325-A, 14646-A, 16151-A, 16160-A, 22542-A, 22550-A, 28085-A.)

On March 19, 1934, 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., Seattle, Wash., alleging that the defendant company had shipped, between the dates of August 22, 1932, and October 4, 1932, from the State of Washington into the States of Utah, Maine, Texas, California, Kansas, Virginia, and Colorado, through an agent, quantities of canned salmon which was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Happy Vale Brand Pink Salmon * * * Packed for Emery Food Co., Chicago."

The information charged adulteration in that certain lots consisted in part of a decomposed animal substance, and that the remaining lots 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 \$240 and costs.

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

22218. Adulteration and misbranding of canned peas. U. S. v. 100 Cartons of Canned Peas. Default decree of condemnation and destruction. (F. & D. no. 31262. Sample no. 40227-A.)

This case involved an interstate shipment of canned peas which were found to contain larvae of the pea weevil. The article was also below the standard for canned peas established by this Department, because of the presence of an excessive proportion of hard peas, and was not labeled to indicate that it was substandard.

October 21, 1933, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 cartons of canned peas at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about July 27, 1933, by the Snider Packing Corporation, from Canandaigua, N.Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Crystal Brand Sweet Mellow Peas."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy vegetable substance.

Misbranding was alleged for the reason that the article was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, because of the presence of an excessive number of hard peas, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department indicating that it fell below such standard.

On March 14, 1934, the sole intervener having withdrawn its appearance, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

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

22219. Adulteration of apples. U. S. v. Ernest H. Pfaff and Frank Padosheck (Western Fruit Corporation). Plea of nolo contendere. Fine, \$10. (F. & D. no. 31340. Sample no. 18038-A.)

This case was based on an interstate shipment of apples found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On December 19, 1933, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in

the district court an information against Ernest H. Pfaff and Frank Padosheck, a copartnership trading under the name of the Western Fruit Corporation, Wenatchee, Wash., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about October 12, 1932, from the State of Washington into the State of Montana, of a quantity of apples which were adulterated.

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

On April 2, 1934, a plea of nolo contendere was entered on behalf of the partnership, and the court imposed a fine of \$10.

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

22220. Adulteration of canned salmon. U. S. v. The Skowl Arm Packing Co. Plea of guilty. Fine, \$50. (F. & D. no. 31362. Sample nos. 25855-A, 25857-A, 26035-A, 26069-A, 26086-A, 26087-A.)

This case was based on shipments of canned salmon which was found to be in part decomposed.

On February 5, 1934, 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 Skowl Arm Packing Co., a Washington corporation, trading at Skowl Arm, Alaska, alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 3 and September 7, 1932, from Alaska into the State of Washington, of quantities of canned salmon which was adulterated.

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

On April 30, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

22221. Adulteration of butter. U. S. v. Gowrie Cooperative Creamery Association. Plea of guilty. Fine, \$25. (F. & D. no. 31402. Sample no. 32516-A.)

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

On April 9, 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 Gowrie Cooperative Creamery Association, a corporation, Gowrie, Iowa, alleging shipment by said company in violation of the Food and Drugs Act, on or about May 7, 1933, from the State of Iowa into the State of New York, of a quantity of butter which was adulterated.

It was alleged in the information that the article was 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 March 4, 1923, which the article purported to be.

On April 9, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

22222. Adulteration of black walnut meats. U. S. v. Alfred Estel Smalley (General Nut Co.). Plea of guilty. Fine, \$25. (F. & D. no. 31407. Sample no. 2460-A.)

This case was based on an interstate shipment of black walnut meats which were found to be in large part acrid, bitter, and rancid.

On January 20, 1934, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Alfred Estel Smalley, trading as the General Nut Co., Kansas City, Mo., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about September 24, 1932, from the State of Missouri into the State of Colorado, of a quantity of black walnut meats which were adulterated.

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

On April 2, 1934, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

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