

On May 1, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the D. B. Scully Syrup Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 13, 1932, from the State of Illinois into the State of Michigan, of a quantity of apple butter which was adulterated. The article was labeled in part: "Scully's Pure Apple Butter * * * Packed by D. B. Scully Syrup Co., Chicago, Ill."

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

On May 24, 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.*

22489. Adulteration of apples. U. S. v. Clyde H. Harris (Harris Cold Storage). Plea of guilty. Fine, \$50. (F. & D. no. 31515. Sample no. 29448-A.)

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

On May 16, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Clyde H. Harris, trading as Harris Cold Storage, Freewater, Oreg., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about May 5, 1933, from the State of Oregon into the State of California, 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, which might have rendered it injurious to health.

On May 24, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$50.

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

22490. Adulteration and misbranding of butter. U. S. v. Thomas D. Rider (Dunlap Creamery Co.). Plea of guilty. Fine, \$2 and costs. (F. & D. no. 31529. Sample no. 40638-A.)

This case was based on an interstate shipment of butter that contained less than 80 percent of milk fat, and that was not labeled to show the quantity of the contents of the packages.

On April 30, 1934, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Thomas D. Rider, trading as the Dunlap Creamery Co., Dunlap, Iowa, alleging shipment by said defendant, in violation of the Food and Drugs Act as amended, on or about June 9, 1933, from the State of Iowa into the State of Illinois, of a quantity of butter which was adulterated and misbranded.

It was alleged in the information that the article was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of March 4, 1923, which the article purported to be.

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 May 22, 1934, the defendant entered a plea of guilty, and the court imposed a fine of \$2 and costs.

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

22491. Misbranding of canned cherries. U. S. v. 175 Cases of Canned Cherries. Product released under bond to be relabeled. (F. & D. no. 31617. Sample no. 56289-A.)

This case involved a shipment of canned cherries which contained excessive pits and which were not labeled to indicate that they were substandard.

On or about December 8, 1933, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 175 cases of canned cherries at Fort Worth, Tex., alleging that the article had been shipped