

district court an information against the Albert City Cooperative Creamery Association, a corporation, Albert City, Iowa, alleging shipment by said company in violation of the Food and Drugs Act, on or about June 11 and June 19, 1935, from the State of Iowa into the State of Illinois, of quantities of butter that was adulterated.

The article was alleged to be 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 Congress of March 4, 1923, which the article purported to be.

On October 15, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$25 and costs.

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

**25325. Adulteration of tomato puree. U. S. v. Uddo-Taormina Corporation. Plea of guilty. Fine, \$200.** (F. & D. no. 36003. Sample nos. 11512-B, 28382-B, 28383-B, 28521-B, 36827-B, 36847-B, 36848-B, 38787-B.)

This case was based on interstate shipments of tomato puree that contained excessive mold.

On November 13, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Uddo-Taormina Corporation, trading at New Orleans, La., also at Donna, Tex., alleging shipment by said company in violation of the Food and Drugs Act, on or about March 3, March 16, March 23, April 5, and April 10, 1935, from the State of Louisiana into the State of Alabama, on or about March 12, March 20, and April 2, 1935, from the State of Louisiana into the State of Texas, and on or about June 21, 1935, from the State of Texas into the State of Louisiana, of quantities of tomato puree which was adulterated. The article was labeled in part: "Buffalo Brand Tomato Puree \* \* \* Packed by Uddo-Taormina Corp. New Orleans, La. Crystal Springs, Miss. Donna, Texas."

The article was alleged to be adulterated in that it consisted in part of a decomposed vegetable substance.

On December 18, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$200.

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

**25326. Adulteration of apple butter. U. S. v. D. B. Scully Syrup Co. Plea of nolo contendere. Fine, \$25 and costs.** (F. & D. no. 36004. Sample no. 31935-B.)

This case involved a shipment of apple butter that contained excessive lead and arsenic trioxide. It also contained hairs, fragments of insects, and other extraneous matter.

On September 20, 1935, 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 April 4, 1935, 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."

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, namely, lead and arsenic trioxide, in amounts that might have rendered it injurious to health. Adulteration was alleged for the further reason that the article consisted largely of a filthy vegetable substance in that it contained rodent hairs, insect heads, small insects, a small insect fragment, and human hair.

On November 26, 1935, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

**25327. Adulteration of tomato puree. U. S. v. Rio Grande Valley Canning Co. Plea of guilty. Fine, \$100 and costs.** (F. & D. no. 36006. Sample nos. 32271-B, 32272-B, 32335-B, 32336-B.)

This case involved a shipment of tomato puree that contained excessive mold.

On October 15, 1935, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Rio Grande Valley Canning Co., a corporation, Edinburg, Tex., alleging shipment by said company in violation

of the Food and Drugs Act, on or about June 8, 1935, from the State of Texas into the State of Missouri, of quantities of tomato puree which was adulterated. A portion of the article was labeled: "Valley Rose Brand Tomato Puree \* \* \* Packed by Riona Products Co., Inc. McAllen Texas."

The remainder was labeled in part: "A and F Brand \* \* \* Puree Packed. and shipped by Rio Grande Valley Canning Co. Edinburg, Texas."

The article was alleged to be adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On December 2, 1935, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

**25328. Adulteration of dressed poultry. U. S. v. Mark Judson Goodrich (M. J. Goodrich). Plea of guilty. Fine, \$50 and costs. (F. & D. no. 36022. Sample no. 33550-B.)**

This case was based upon a shipment of dressed poultry which was found to be in large part diseased and otherwise unfit for food.

On November 5, 1935, 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 Mark Judson Goodrich, trading as M. J. Goodrich, Strawberry Point, Iowa, alleging shipment by said defendant in violation of the Food and Drugs Act, on or about July 7, 1935, from the State of Iowa into the State of Illinois, of a quantity of dressed poultry which was adulterated.

The article was alleged to be adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance and portions of animals unfit for food and was, in part, a product of diseased animals.

On December 3, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$50 and costs.

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

**25329. Adulteration of apple butter. U. S. v. Allison-Bedford Co. Plea of guilty. Fine, \$20 and costs. (F. & D. no. 36025. Sample nos. 33331-B, 33944-B.)**

This case involved shipments of apple butter, samples of which were found to contain arsenic and lead in an amount that might have rendered the article injurious to health. Samples taken from one of the lots were found to contain parts of flies and other insects, rodent hairs, and a small amount of miscellaneous dirt.

On October 28, 1935, 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 Allison-Bedford Co., a corporation, Chicago, Ill., alleging shipment by said company in violation of the Food and Drugs Act, on or about May 9, 1935, from the State of Illinois into the State of Wisconsin, and on or about June 21, 1935, from the State of Illinois into the State of Michigan, of quantities of apple butter that was adulterated. A portion of the article was labeled: "Apple-Butter Distributed-By O. R. Pieper Co. Milwaukee Wisc." The remainder was labeled: "Glencrest Pure Apple Butter \* \* \* Allison-Bedford Co. Chicago, Ill."

Both lots of the article were alleged to be adulterated in that they contained added poisonous and deleterious ingredients, namely, lead and arsenic in amounts which might have rendered them injurious to health. One lot was alleged to be adulterated for the further reason that it consisted in part of a filthy vegetable substance due to contamination with fly wings, insect heads, rodent hairs, and dirt.

On November 15, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$20.

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

**25330. Adulteration and misbranding of malt sirup. U. S. v. 30½ Cases of Malt Syrup. Default decree of condemnation and destruction. (F. & D. no. 36126. Sample no. 32545-B.)**

This product was adulterated and misbranded, since it was represented to be malt sirup; whereas it was not a malt product.

On August 10, 1935, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30½ cases of canned