

25595. Adulteration of hot sauce. U. S. v. Stockton Packing Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. no. 36017. Sample nos. 1584-B, 4791-B, 12973-B.)

This article consisted in part of a decomposed vegetable substance.

On November 4, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Stockton Packing Co., a corporation, Stockton, Calif., alleging shipment in violation of the Food and Drugs Act as amended, on or about January 15, 1935, from Stockton, Calif., to Baltimore, Md., by Griffith-Durney Co., a corporation, San Francisco, Calif., and on or about March 19, 1935, from San Francisco, Calif., to Hilo, Territory of Hawaii, by Fred L. Waldron, Ltd., a corporation, San Francisco, Calif., of quantities of Troubadour Hot Sauce which was adulterated. The article was labeled in part: (Can) "Troubadour Hot Sauce Contents 7½ Oz. * * * Griffith Durney Co. Distributors San Francisco Calif., U. S. A."

Adulteration of the article was charged under the allegation that it consisted in part of a decomposed vegetable substance. It was further charged that the cans of the article in the two shipments aforesaid had been purchased by the said Griffith-Durney Co. and by the said Fred L. Waldron, Ltd., from the Stockton Packing Co., the defendant, before the making of the shipments, under guaranties by the latter that the article was not adulterated or misbranded within the meaning of the said act.

On January 15, 1936, a plea of guilty having been entered, a fine of \$50 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25596. Misbranding of apple butter. U. S. v. Squire Dingee Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. no. 36023. Sample no. 35407-B.)

The label on the container of this product bore an erroneous statement regarding the weight of the contents of the container.

On October 17, 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 Squire Dingee Co., a corporation, Chicago, Ill., alleging shipment in violation of the Food and Drugs Act as amended, on or about February 16, 1935, from Chicago, Ill., to Cincinnati, Ohio, of quantities of apple butter that was misbranded. The article was labeled in part: (Jar) "Ma Brown Pure Apple Butter 1 lb. 13 oz. Squire Dingee Co. Chicago."

Misbranding of the product was charged (a) under the allegations that each of the jars bore a statement, to wit, "1 lb. 13 oz.", that each of the jars contained less than 1 pound 13 ounces, and that the said statement was false and misleading; (b) under the allegation that the said statement was borne on each of said jars so as to deceive and mislead the purchaser; (c) under the allegation that the article was food in package form and that the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 15, 1936, a plea of guilty having been entered, a fine of \$25 and costs was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25597. Adulteration of tomato puree. U. S. v. Minster Canneries, Inc., a corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. no. 36027. Sample no. 33929-B.)

This article contained a decomposed vegetable substance.

On October 24, 1935, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Minster Canneries, Inc., a corporation, Minster, Ohio, alleging shipment in violation of the Food and Drugs Act as amended, on or about June 12, 1935, from Minster, Ohio, to Chicago, Ill., of quantities of tomato puree that was adulterated. The article was labeled in part: (Can) "Kenmore * * * Tomato Puree John Sexton & Co. Distributors Chicago—Brooklyn Established 1883."

Adulteration of the product was charged under the allegation that it consisted in part of a decomposed vegetable substance.

On January 27, 1936, a plea of nolo contendere having been entered, a fine of \$25 and costs was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*