

ture, filed in the district court a libel praying seizure and condemnation of two 10-gallon cans of cream at Parkersburg, W. Va., alleging that on or about June 20, 1936, the article had been delivered for shipment in interstate commerce at Harrisville, W. Va., by the K. & T. Stores, Inc., a substation for the Sumner Co. cream station, of Parkersburg, W. Va., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: (Tag) "To The Sumner Co., Akron, Ohio."

The article was alleged to be adulterated in that it consisted in whole or in part of a putrid, maggoty, and moldy animal substance.

On June 22, 1936, the K. & T. Stores, Inc., having consented to the entry of a decree, judgment was entered ordering that the product be destroyed.

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

**26843. Adulteration of frozen raspberries. U. S. v. R. D. Bodle Co. Plea of guilty. Fine, \$50 and costs. (F. & D. no. 37936. Sample nos. 43122-B, 55606-B.)**

This case involved frozen raspberries samples of which were found to contain worms and insects.

On February 2, 1937, 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 R. D. Bodle Co., a corporation of Seattle, Wash., alleging shipment by said company on or about August 8, 1935, from the State of Washington into the State of Illinois of a quantity of frozen raspberries that were adulterated. The information further alleged that the defendant company had sold and delivered the article on or about August 15, 1935, to the Nakat Packing Corporation of Seattle, Wash., under a guaranty that it complied with the Federal Food and Drugs Act; that the article had been shipped in interstate commerce on or about December 13, 1935, from the State of Washington into the State of New York by the Nakat Packing Corporation; that it was adulterated in violation of said act and that by reason of the guaranty the defendant company was amenable for prosecution for said shipment. The article was labeled in part: "R. D. Bodle Co. \* \* \* Cuthbert Raspberries \* \* \* Seattle, Wn."

It was alleged to be adulterated in that it consisted in part of a filthy vegetable substance.

On February 18, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

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

**26844. Adulteration and misbranding of butter. U. S. v. Rowan Creamery, Inc. Plea of guilty. Fine, \$50. (F. & D. no. 37950. Sample no. 48868-B.)**

This product was deficient in milk fat and the label failed to bear a correct statement of the quantity of the contents.

On September 14, 1936, the United States attorney for the Middle District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rowan Creamery, Inc., Salisbury, N. C., alleging that on or about February 22, 1936, said defendant had shipped from the State of North Carolina into the State of South Carolina a quantity of butter that was adulterated and misbranded in violation of the Food and Drugs Act as amended. The article was labeled in part: "Guernsey Gold Creamery Butter One Pound Net When Packed Rowan Creamery, Inc., Salisbury, N. C."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

It was alleged to be misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the statement made was not correct.

On October 19, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50.

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

**26845. Adulteration of olive oil. U. S. v. International Importing Co., Inc. Plea of guilty. Fine, \$100 and costs. (F. & D. no. 37962. Sample no. 65752-B.)**

This product was adulterated with tea-seed oil.