

- 27647. Adulteration of cream. U. S. v. One 5-Gallon Can and Three 10-Gallon Cans, et al., of Cream. Consent decrees of condemnation and destruction.** (F. & D. Nos. 40356, 40357, 40370. Sample Nos. 46644-C to 46646-C, incl.)

This product was found to be in various stages of decomposition.

On September 16 and September 20, 1937, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 18 cans of cream at Pittsburgh, Pa., alleging that it had been shipped in interstate commerce on or about September 14, 15, and 16, 1937, in various shipments by Clarence Duvill, Gaithersburg, Md.; J. F. Fisher & Son, Barnesville, Md.; G. P. Moreland, Paw Paw, W. Va.; I. G. Ellyson, Weston, W. Va.; Roy Rose, Clarington, Ohio; B. M. Furr, Marshall, Va.; M. K. Bowers, Charles Town, W. Va.; Walter Johnson, Strasburg, Va.; Roy H. Baker, Frederick, Md.; L. R. Mason, Brunswick, Md.; W. L. Paylor, Hancock, W. Va.; and N. E. Klipstein, Culpeper, Va.; and charging adulteration in violation of the Food and Drugs Act.

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

On September 16 and 20, 1937, the consignee having consented to the entry of decrees, judgments were entered ordering that the product be destroyed.

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

- 27648. Adulteration of cream. U. S. v. One 10-Gallon and One 5-Gallon Can of Cream (and 7 other seizure actions). Consent decrees of condemnation and destruction.** (F. & D. Nos. 40395 to 40402, incl. Sample Nos. 39778-C to 39781-C, incl., 39783-C, 39785-C, 39786-C, 39789-C.)

This product was found to be decomposed or filthy, or both.

On August 4 and 10, 1937, the United States attorney for the District of Utah, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of five 10-gallon cans and eight 5-gallon cans of cream at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about July 31, August 1, 2, and 3, 1937, in various shipments by W. A. Crist, Richfield, Idaho; C. E. Reeder, Lima, Mont.; Oliver Sprague, Overton, Nev.; Arch Jones, Darlington, Idaho; Letha Proper, Placerville, Colo.; B. F. Mathews, Blaine, Idaho; South Bros. Dairy, Malad, Idaho; H. D. Johnson, Gooding, Idaho; S. E. Gregg, Burley, Idaho; A. J. Sharp, Caliente, Nev.; Louis Smith, Robertson, Wyo.; Claude Waters, Squirrel via Drummond, Idaho; and Archie Miller, Lava Hot Springs, Idaho, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was filthy, yeasty, moldy, cheesy, putrid, rancid, and decomposed.

On August 4 and 10, 1937, the consignees having admitted the allegations of the libels and consented to the entry of decrees, judgments were entered ordering that the product be destroyed.

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

- 27649. Conspiracy to violate the Food and Drugs Act. U. S. v. Wecoline Products, Inc., Setrak Kalustian, Antonio Accardi, James Goltso, Paul B. Booras, Nicholas Alessi, Ernest F. Drew, E. Lionel Parrott, and Albert J. Knox. Pleas of guilty by Setrak Kalustian and Nicholas Alessi. Each fined \$1,000. Plea of guilty by Paul B. Booras; defendant sentenced to be imprisoned for 1 year and a day; sentence suspended and defendant placed on probation for 1 year. Nolle prosequi entered as to Wecoline Products, Inc., Ernest F. Drew, E. Lionel Parrott, Albert J. Knox, Antonio Accardi, and James Goltso. (Con. No. 110.)**

On January 28, 1937, the grand jurors of the United States for the District of Massachusetts returned an indictment against the Wecoline Products, Inc., a corporation organized under the laws of Delaware and having a place of business at New York, N. Y.; Setrak Kalustian, alias Samuel Kalustian, and Antonio Accardi, of Boston, Mass.; James Goltso, of Providence, R. I.; Paul B. Booras, of Lynn, Mass.; Nicholas Alessi, Ernest F. Drew, and E. Lionel Parrott, of New York, N. Y.; and Albert J. Knox, of Boonton, N. J., charging that beginning on or about June 1, 1935, at Boston, Mass., New York, N. Y., and at divers other places, the defendants willfully, knowingly, and unlawfully did conspire, combine, confederate, and agree together to violate the Federal Food and Drugs Act in that it was the purpose and object of the conspiracy and of the conspirators to introduce for shipment and to ship or deliver for shipment in interstate commerce certain quantities of olive oil which was adulterated with tea-seed oil; and that the conspiracy continued until the date of the indictment.