

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On January 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30131. Adulteration of canned cherries. U. S. v. Western Oregon Packing Corporation. Plea of guilty. Fine, \$300. (F. & D. No. 42620. Sample No. 15062-D.)

This product was in part decomposed.

On November 26, 1938, 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 the Western Oregon Packing Corporation, Corvallis, Oreg., alleging shipment by said company in violation of the Food and Drugs Act on or about July 23, 1938, from the State of Oregon into the State of New York of a quantity of canned cherries that were adulterated. The article was labeled in part: "Mountainview Royal Anne Cherries."

Adulteration was alleged in that the article consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 15, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$300.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30132. Adulteration of candy. U. S. v. 12 Cartons of Candy. Default decree of condemnation and destruction. (F. & D. No. 44037. Sample No. 35656-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On September 30, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 cartons of candy at Boston, Mass.; alleging that the article had been shipped on or about January 19, 1937, by Peter Paul, Inc., from Naugatuck, Conn.; and charging adulteration in violation of the Food and Drugs Act. It was labeled in part, "Peter Paul's Chocolate Mints."

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

On February 13, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30133. Adulteration of crab meat. U. S. v. Irving H. Crocheron (Crocheron Bros. Packing Co.). Pleas of guilty. Fine, \$100 and costs. (F. & D. No. 42629. Sample Nos. 34036-D, 34151-D, 34152-D.)

This product contained evidence of the presence of filth.

On November 30, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Irving H. Crocheron, trading as Crocheron Bros. Packing Co., Crocheron, Md., alleging shipment by said defendant in violation of the Food and Drugs Act within the period from on or about July 7, 1938, to on or about July 28, 1938, from the State of Maryland into the State of Pennsylvania, of quantities of crab meat that was adulterated.

Adulteration was alleged in that the article consisted in whole or in part of a filthy animal substance, namely, filthy crab meat.

On January 20, 1939, the defendant entered a plea of guilty and the court imposed a fine of \$100 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30134. Adulteration of crab meat. U. S. v. William H. T. Coulbourne and Frederick S. Jewett (Coulbourne & Jewett). Pleas of guilty. Fine, \$100. (F. & D. No. 42610. Sample Nos. 34129-D, 34137-D.)

This product contained evidence of the presence of filth.

On November 30, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William H. T. Coulbourne and Frederick S. Jewett, copartners, trading as Coulbourne & Jewett, St. Michaels, Md., alleg-

ing shipment by said defendants in violation of the Food and Drugs Act on or about June 29 and July 13, 1938, from the State of Maryland into the States of Delaware and New Jersey of quantities of crab meat that was adulterated.

Adulteration was alleged in that the article consisted in whole and in part of a filthy animal substance.

On January 20, 1939, the defendants entered pleas of guilty and the court imposed a fine of \$200. On January 24, judgment was reconsidered and the fine was reduced to \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30135. Adulteration and misbranding of butter. U. S. v. Fairmont Creamery Co. Plea of nolo contendere. Fine, \$35. (F. & D. No. 42598. Sample Nos. 26129-D, 26130-D.)

This product contained less than 80 percent by weight of milk fat.

On January 9, 1939, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Fairmont Creamery Co., a corporation trading at Moorhead, Minn., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 1, 1938, from the State of Minnesota into the State of New York of a quantity of butter which was adulterated and misbranded.

Adulteration was alleged 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.

Misbranding was alleged in that the statement "butter," borne on the boxes and tubs containing the article, was false and misleading since the said statement represented that the article was butter, namely, a product which should contain not less than 80 percent by weight of milk fat; whereas it contained less than 80 percent by weight of milk fat.

On January 9, 1939, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$35.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30136. Adulteration of strawberry jam and strawberry preserves. U. S. v. Starr Fruit Products Co. Plea of guilty. Fine, \$300. (F. & D. No. 42589. Sample Nos. 17656-D, 18124-D, 18135-D, 18136-D.)

These products contained excessive mold, indicating that they were made in part from moldy berries.

On November 3, 1938, 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 the Starr Fruit Products Co., a corporation, Portland, Oreg., alleging shipment by said company in violation of the Food and Drugs Act within the period from on or about April 11, 1938, to on or about April 22, 1938, from the State of Oregon into the State of California, of quantities of strawberry jam and strawberry preserves which were adulterated. The jam was labeled in part: "O. K. Brand Pure Strawberry Jam Packed for Stiefvaters, San Francisco." The preserves were labeled in part: "Sun-Blessed * * * Pure Strawberry Preserves * * * Distributed by Jacobson-Shealy Co. Inc., San Francisco."

The articles were alleged to be adulterated in that they consisted in part of a decomposed vegetable substance, namely, moldy strawberries.

On December 15, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$300.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30137. Misbranding of canned cherries. U. S. v. 89 Cases and 19 Cases of Cherries. Default decree of condemnation. Product ordered delivered to a welfare organization. (F. & D. Nos. 44362, 44363. Sample Nos. 30945-D, 30946-D.)

This product was substandard because of excessive pits, and it was not labeled to indicate that it was substandard.

On November 17, 1938, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 108 cases of canned cherries at Durango, Colo., consigned by Geo. W. Goddard Co.; alleging that the article