

30769. Adulteration of raisins. U. S. v. 356 Cases of Raisins. Default decree of condemnation and destruction. (F. & D. No. 45336. Sample Nos. 47501-D, 47502-D.)

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

On May 15, 1939, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 356 cases of raisins at Wilmington, N. C.; alleging that the article had been shipped on or about August 26, 1938, by the California Packing Corporation from San Francisco, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Oro Brand Choice Seeded Muscat Raisins"; or "Dessert Brand Sun Dried Natural Seedless Raisins."

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

On July 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30770. Adulteration of butter. U. S. v. John Lingner (Fairview Creamery Co.). Plea of guilty. Fine, \$25. (F. & D. No. 42697. Sample No. 44770-D.)

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

On April 12, 1939, 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 John Lingner, trading as the Fairview Creamery Co., Houston, Tex., alleging shipment by said defendant in violation of the Food and Drugs Act on or about November 4, 1938, from the State of Texas into the State of New York of a quantity of butter which was adulterated.

Adulteration was alleged in that a product containing 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 Congress of March 4, 1923.

On July 8, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$25.

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

30771. Adulteration of dressed poultry. U. S. v. Jerpe Dairy Products Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 42687. Sample No. 44112-D.)

This product was in whole or in part decomposed.

On April 28, 1939, the United States attorney for the Western District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jerpe Dairy Products Corporation, Fayetteville, Ark., alleging shipment by said company on or about December 2, 1938, from the State of Arkansas into the State of New York in violation of the Food and Drugs Act, of a quantity of dressed poultry that was adulterated. The article was labeled: "Economy Broilers * * * Economy Fowls."

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

On June 5, 1939, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$50.

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

30772. Adulteration and misbranding of horseradish. U. S. v. Golden Pickle Works, Inc. Plea of guilty. Fine, \$50 on the first count. Imposition of sentence suspended on remaining counts, and defendant placed on probation for 60 days. (F. & D. No. 42651. Sample Nos. 3249-D, 25985-D.)

This product was adulterated and misbranded because other substances had been substituted in whole or in part for horseradish, which it purported to be. It was misbranded further because of failure of the label to bear a plain and conspicuous statement of the quantity of contents.

On June 23, 1939, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Golden Pickle Works, Inc., Brooklyn, N. Y., alleging shipment by said company on or about May 27 and June 17,