

ADULTERATION OF MILK (WATER).

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 24th day of June, 1908, in the district court of the United States for the southern district of Illinois, southern division, in a criminal prosecution by the United States against C. Deterding for violation of section 2 of the aforesaid act in shipping and delivering for shipment into interstate commerce adulterated milk—that is to say, milk that contained an excess of water—the defendant having entered a plea of guilty a judgment was rendered by the court in substance and form as follows:

In the district court of the United States for the southern district of Illinois,
southern division.

Wednesday, June 24th, A. D. 1908.

Present, the Honorable J. OTIS HUMPHREY, judge.

THE UNITED STATES	}	Criminal information. Term No. 109. General No.
<i>vs.</i>		
C. DETERDING.		

And now on this 24th day of June, A. D. 1908, comes the United States, the plaintiff in this case, by W. A. Northcott, esq., United States attorney for the southern district of Illinois, and comes also the defendant C. Deterding in person.

And the said defendant being arraigned on the criminal information herein, for plea thereto says that he is guilty as therein charged, and he having nothing to say why sentence should not be pronounced against him, it is therefore considered and adjudged by the court that the said defendant C. Deterding, for the offense by him committed in manner and form as charged in the said criminal information and as by him confessed, do pay a fine to the United States in the sum of one hundred dollars, together with the costs of this prosecution, amounting to the sum of thirty-one dollars and ninety-five cents, and that execution issue therefor.

The facts in the case were as follows:

On October 1, 1907, an inspector of the Department of Agriculture obtained, in St. Louis, Mo., samples of milk from a consignment of that article shipped from Formosa, Ill., by C. Deterding. One of the samples was forthwith subjected to analysis in the Bureau of Chemistry, Department of Agriculture, and the following result obtained and stated:

Fat (per cent) -----	3.2
Non-fatty solids (per cent) -----	6.33

Milk is defined in the "Standards of Purity for Food Products," promulgated under authority of law by the Secretary of Agriculture, as follows:

Milk is the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after calving, and contains not less than eight and one-half (8.5) per cent of solids not fat, and not less than three and one-quarter (3.25) per cent of milk fat.

The milk in question was, therefore, adulterated within the meaning of section 7 of the act, in that it contained an excessive amount of water, thereby reducing its quality and strength.

On January 15, 1908, the Secretary of Agriculture accorded C. Deterding a hearing. As there was nothing disclosed at this hearing tending to show any fault or error in the result of the analysis above stated, the facts were on April 30, 1908, reported to the Attorney-General and by him to the United States attorney for the southern district of Illinois, who on the 1st day of June, 1908, filed an information in the court aforesaid alleging the shipment and delivering for shipment by the said defendant from Formosa, in the State of Illinois, to St. Louis, in the State of Missouri, of adulterated milk with the result set forth in the judgment hereinbefore given.

H. W. WILEY,
F. L. DUNLAP,
GEO. P. McCABE,

Board of Food and Drug Inspection.

Approved:

W. L. MOORE,

Acting Secretary of Agriculture.

WASHINGTON, D. C., July 15, 1908.