

5561. Adulteration of milk. U. S. * * * v. Union Dairy Co., a corporation. Plea of not guilty. Finding of guilty. Fine, \$50. (F. & D. No. 7626. I. S. No. 11710-1.)

On October 9, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Dairy Co., a corporation, doing business at Troy, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 7, 1915, from the State of Illinois into the State of Missouri, of a quantity of milk which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the majority of the samples were either discolored or dirty, or that they contained visible dirt, and that water had been added to most of the samples.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be; and for the further reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On June 7, 1917, the case came on for trial before the court, a jury having been waived, and, after the submission of evidence and arguments by counsel, the court found the defendant company guilty and imposed a fine of \$50 and costs. Thereupon the defendant company moved for a writ of error to the Circuit Court of Appeals of the United States for the seventh circuit, and the said writ was allowed.

C. F. MARVIN, *Acting Secretary of Agriculture.*