

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 13601-13650

[Approved by the Acting Secretary of Agriculture, Washington, D. C., November 28, 1925]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

13601. Misbranding of cabbages. U. S. v. Snyder Packing Co. Plea of guilty. Fine, \$200. (F. & D. No. 18352. I. S. No. 3960-v.)

On October 29, 1924, the United States attorney for the Southern District of California, 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 Snyder Packing Co., a corporation, Calexico, Calif., alleging shipment by said company, in violation of the food and drugs act as amended, on or about April 9, 1923, from the State of California into the State of Illinois, of a quantity of cabbages in crates which were misbranded. A portion was marked with blue pencil "80," and the remainder was marked with blue pencil "85," and in no other manner.

Examination by the Bureau of Chemistry of this department of 16 of the alleged 80-pound crates showed an average weight of 64.4 pounds; examination of 14 of the alleged 85-pound crates showed an average weight of 67.1 pounds.

Misbranding of the article was alleged in the information for the reason that the respective statements, to wit, "80" and "85," borne on the crates containing the article, were false and misleading, in that the said statements represented that the crates each contained 80 pounds or 85 pounds of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the crates each contained 80 pounds or 85 pounds of the article, as the case might be, whereas the said crates did not contain the respective amounts declared thereon but did contain less amounts. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 24, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13602. Adulteration and misbranding of tankage. U. S. v. Joseph F. Herrmann (Joseph F. Herrmann & Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 19651. I. S. No. 8847-v.)

On June 23, 1925, the United States attorney for the Northern 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 Joseph F. Herrmann, trading as Joseph F. Herrmann & Co., Chicago, Ill., alleging shipment by said defendant, in violation of the food and drugs act, on or about May 13, 1924, from the State of Illinois into the State of Indiana, of a quantity of tankage which was adulterated and misbranded. The article