

20478. Misbranding of grapefruit juice. U. S. v. West Coast Fruit Co. Plea of guilty. Fine, \$50. (F. & D. no. 28188. I. S. nos. 11416, 11417, 22286.)

This action was based on the interstate shipments of quantities of canned grapefruit juice, sample cans of which were found to contain less than the declared volume.

On October 21, 1932, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the West Coast Fruit Co., a corporation, Clearwater, Fla., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about December 8, 1930 and April 27, 1931, from the State of Florida into the States of California and Washington, respectively, of quantities of canned grapefruit juice that was misbranded. The article was labeled in part as follows: (Cans) "Dixie-Dainty Brand Florida * * * Grapefruit Juice * * * West Coast Fruit Co., Packers Clearwater, Fla." A number of the cans were labeled, "Contents 11 Ounces", and the remainder were labeled, "Contents 1 Lb. 4 Ozs."

It was alleged in the information that the article was misbranded in that the statements, "Contents 11 Ounces" and "Contents 1 Lb. 4 Ozs.", were false and misleading, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser, since the cans contained less than the amount declared on the label. 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, since the statements made were incorrect.

On November 5, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20479. Adulteration and misbranding of butter. U. S. v. Springfield Creamery Co., Inc. Plea of guilty. Fine, \$5. (F. & D. no. 28204. I. S. no. 22649.)

This action involved the interstate shipment of a quantity of butter, which was found to be in violation of the law, since samples contained less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress, and the packages bore no statement of net weight of the contents.

On November 15, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Springfield Creamery Co., Inc., Springfield, Oreg., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about February 29, 1932, from the State of Oregon into the State of Washington, of a quantity of butter that was adulterated and misbranded.

It was alleged in the information that the article was adulterated in that a product deficient in milk fat had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat as required by the act of March 4, 1923.

Misbranding was alleged for the 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 November 15, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$5.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20480. Adulteration of celery. U. S. v. 5 Crates of Celery. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 28822. Sample no. 18802-A.)

Arsenic and lead in amounts which might have rendered the article injurious to health were found on celery taken from the shipment involved in this case.

On August 31, 1932, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five crates of celery, remaining in the original packages at Houston, Tex., alleging that the article had been shipped in interstate commerce by the United Grocers Association on or about August 16, 1932, from Denver, Colo., to Houston, Tex., and charging adulteration in violation of the Food and Drugs Act.