

On April 19, 1933, a plea of guilty to all 11 counts of the information was entered on behalf of the defendant company, and the court imposed a fine of \$150 on each of counts 1 and 2, and suspended sentence on the remaining 9 counts.

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

**20983. Misbranding of cottonseed meal and cottonseed screenings. U. S. v. Chickasha Cotton Oil Co. Plea of guilty. Fine, \$100 and costs. (F. & D. no. 29478. I. S. nos. 50952, 50955.)**

This action was based on interstate shipments of cottonseed meal and cottonseed screenings that contained less than 43 percent of protein, the amount declared on the label.

On March 20, 1933, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chickasha Cotton Oil Co., a corporation, trading at Chickasha, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 4 and March 7, 1932, from the State of Oklahoma into the State of Kansas, of quantities of cottonseed meal and cottonseed screenings that were misbranded. The articles were labeled in part: (Tag) "Chickasha Prime 43% Protein Cottonseed Cake or Meal Guaranteed Analysis Protein, not less than 43%, \* \* \* Manufactured by or for Chickasha Cotton Oil Company, Chickasha, Okla."

It was alleged in the information that the articles were misbranded in that the statements, "43% Protein \* \* \* Guaranteed Analysis Protein not less than 43%", borne on the tags, were false and misleading; and for the further reason that they were labeled so as to deceive and mislead the purchaser, since they contained less than 43 percent of protein.

On April 14, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

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

**20984. Adulteration of apples. U. S. v. 610 Boxes of Apples. Product washed and released upon payment of costs. (F. & D. no. 30084. Sample no. 31251-A.)**

This case involved an interstate shipment of apples which were found to bear arsenate of lead in an amount which might have rendered them injurious to health.

On February 28, 1933, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 610 boxes of apples at Helena, Mont., alleging that the article had been shipped in interstate commerce, on or about February 15, 1933, by the Nash-Corrigan Co., from Zillah, Wash., to Helena, Mont., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pheasant Brand \* \* \* Nash-Corrigan Company, Yakima, Washington U. S. A. Packed by R. E. Richardson, Zillah, Wash."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient, namely, arsenate of lead, which might have rendered it injurious to health.

On March 13, 1933, the Nash-Finch Co., Helena, Mont., having appeared as claimant for the property and having admitted the allegations of the libel, and the court having found that the apples had been washed and met the requirements of the law, a decree was entered ordering that the product be delivered to the claimant upon payment of costs.

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

**20985. Adulteration of apples. U. S. v. 660 Bushels of Apples. Product released under bond for removal of arsenic. (F. & D. no. 30080. Sample no. 25423-A.)**

This case involved an interstate shipment of apples which bore arsenic in an amount which might have rendered them injurious to health.

On March 8, 1933, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 660 bushel baskets of apples at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about February 24, 1933, by the J. C. Palumbo Fruit Co., from Payette, Idaho, to St. Louis, Mo., and charging:

adulteration in violation of the Food and Drugs Act. The article was labeled in part: "La Paluma Brand \* \* \* J. C. Palumbo Fruit Co. Payette, Idaho."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious substance, arsenic, which might have rendered it harmful to health.

On March 11, 1933, Clinton J. Butler, having appeared as claimant for the property and having admitted the allegations of the libel, and the court having found that the arsenic could be removed so that the apples would be fit for human consumption, judgment was entered ordering that the product be released to the claimant upon the execution of a bond in the sum of \$500, conditioned that it should not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

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

**20986. Adulteration of apples. U. S. v. 231 Boxes of Apples. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 30020. Sample no. 22671-A.)

This action involved an interstate shipment of apples which were found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On February 21, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 231 boxes of apples at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about February 9, 1933, by Frank B. Ritchey, from Milton, Oreg., to San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Northwest Apples \* \* \* Independent Fruit Co. Growers and Car lot Shippers, Milton Oregon."

It was alleged in the libel that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On March 9, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

**20987. Adulteration of apples. U. S. v. 756 Boxes of Apples. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. no. 30019. Sample no. 23162-A.)

This case involved a quantity of apples that were found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On March 11, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States a libel praying seizure and condemnation of 756 boxes of apples at Kansas City, Mo., alleging that the article had been shipped in interstate commerce, on or about February 28, 1933, by J. C. Hale, from Buena, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Man O' War Brand Washington Apples E. S. Small, Inc. Yakima, Wash."

It was alleged in the libel that the article was adulterated in that it contained added poisonous or deleterious ingredients, lead and arsenic, which might have rendered it injurious to health.

On March 20, 1933, the Cochrane Brokerage Co., Kansas City, Mo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it be brought into compliance with the law under the supervision of this Department.

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

**20988. Adulteration of dressed poultry. U. S. v. Idaho Egg Producers. Plea of guilty. Fine, \$50.** (F. & D. no. 29466. Sample no. 102-A.)

This case was based on an interstate shipment of dressed poultry. Examination showed diseased conditions, discoloration, and emaciation in a large proportion of the fowls.