

the further reason that the article was labeled so as to deceive and mislead the purchaser, since the said statement represented that the article was butter, a product which should contain not less than 80 percent by weight of milk fat, whereas it contained less than 80 percent by weight of milk fat.

On October 3, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100.

M. L. WILSON, *Acting Secretary of Agriculture.*

23034. Adulteration of canned shrimp. U. S. v. 189 Cases and 62 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31786. Sample nos. 45178-A, 45179-A.)

This case involved an interstate shipment of canned shrimp which was in part decomposed.

On December 27, 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 a libel praying seizure and condemnation of 251 cases of canned shrimp at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about November 17, 1933, by the Nassau Packing Co., from Jacksonville, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Florida Chief Brand [or "Musketeer"] Nassau Shrimp * * * Packed by The Nassau Packing Co., S. S. Goffin, Jacksonville, Fla."

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On November 1, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

23035. Adulteration of canned prunes. U. S. v. 464 Cases of Canned Prunes. Default decree of destruction. (F. & D. no. 31996. Sample no. 56437-A.)

This case involved an interstate shipment of canned prunes which were in part decomposed.

On February 17, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 464 cases of canned prunes at St. Paul, Minn., alleging that the article had been shipped in interstate commerce, on or about December 8, 1933, by Paulus Bros. Packing Co., from Salem, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Red Tag Fresh Oregon Prunes * * * Paulus Bros. Packing Co. Salem, Oregon."

The article was alleged to be adulterated in that it consisted in part of a decomposed vegetable substance.

On October 15, 1934, the case was called and, no claimant appearing, judgment was entered ordering that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23036. Adulteration of pears. U. S. v. Ingraham Fruit & Cold Storage Co., and Edward S. Small. Pleas of guilty. Fines, \$30. (F. & D. no. 32103. Sample no. 21309-A.)

Examination of the interstate shipment of pears on which this case was based showed the presence of arsenic and lead.

On June 6, 1934, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Ingraham Fruit & Cold Storage Co., a corporation, Zillah, Wash., and Edward S. Small, Yakima, Wash., alleging shipment by said defendants in violation of the Food and Drugs Act, on or about February 1, 1933, from the State of Washington into the State of New York, of a quantity of pears which were adulterated. The article was labeled in part: "C. C. Woodall Company, Zillah, Washington. Washington Pears-Messenger Brand."

Adulteration was charged in that the article contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On October 3, 1934, a plea of guilty was entered on behalf of the Ingraham Fruit & Cold Storage Co., and the court imposed a fine of \$25 against the said corporation, and on the same date Edward S. Small entered a plea of guilty and was fined \$5.

M. L. WILSON, *Acting Secretary of Agriculture.*