

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 213, FOOD AND DRUGS ACT.

ADULTERATION OF ICE CREAM.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 22d day of November, 1909, in the Police Court of the District of Columbia, judgment was rendered in the case of the United States *v.* Hugh Wallis, a prosecution upon an information in substance charging said defendant with having sold and offered for sale in the District of Columbia a quantity of so-called ice cream which was adulterated in that it contained less than 14 per cent. of milk fat, and further in this, that starch and gelatin had been mixed and packed with it so as to reduce, lower, and injuriously affect its quality. The defendant on the aforesaid date pleaded guilty to the information. The court imposed upon him a fine of \$25.

The facts on which the prosecution was based were as follows:

On May 11, 1909, an inspector of the health department of the District of Columbia, acting under authorization of the Secretary of Agriculture to Dr. William C. Woodward, health officer of said District, procured a sample of what was represented to be ice cream from Hugh Wallis, 617 Twelfth street, NW., Washington, D. C., which sample was analyzed by said health department and found to contain less than 14 per cent. of milk fat, and also to contain starch and gelatin. The analysis having disclosed that said article was adulterated within the meaning of section 7 of the Food and Drugs Act, said Hugh Wallis was duly notified thereof and given an opportunity to be heard in regard to said adulteration, and it appearing that the act had been violated the health officer reported the facts to the United States attorney for the District of Columbia, who filed an information against the said Hugh Wallis, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *February 21, 1910.*