

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 517, FOOD AND DRUGS ACT.

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### ADULTERATION OF MILK.

On or about August 17, 1908, J. W. Earnshaw delivered for shipment and shipped from Lenexa, Kans., to Kansas City, Mo., a quantity of milk. Samples from this shipment were procured and analyzed in the Bureau of Chemistry, United States Department of Agriculture. As the findings of the analyst and the report made indicated that the product was adulterated within the meaning of the Food and Drugs Act of June 30, 1906, the said J. W. Earnshaw, and the party from whom the samples were procured, were afforded opportunities for hearings. As it appeared after hearings held that said shipment and delivery for shipment were made in violation of the act, the Secretary of Agriculture reported the facts to the Attorney-General, with a statement of the evidence upon which to base a prosecution.

In due course a criminal information, containing two counts, was filed in the District Court of the United States for the District of Kansas against the said J. W. Earnshaw, charging the above delivery for shipment and shipment, respectively, and alleging that the product was adulterated in that water had been mixed and packed with said milk so as to reduce and lower its quality and strength, and that water had been substituted in part for said milk.

On August 12, 1909, the said defendant pleaded guilty to the information, whereupon the court imposed a fine of \$5 on each count thereof, together with the costs of prosecution taxed at \$23.25.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *July 6, 1910.*

