

5017. Adulteration of milk. U. S. * * * v. William Louis Fuher. Plea of nolo contendere. Fine, \$45 and costs. (F. & D. No. 6365. I. S. Nos. 1046-h, 1047-h, 1048-h, 1049-h, 1050-h, 1051-h, 1052-h, 1053-h.)

On June 26, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Louis Fuher, Pittsburgh, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 9, 1913, from the State of Ohio into the State of Pennsylvania, of quantities of milk which was adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Sample No. 1.	Sample No. 2.	Sample No. 3.	Sample No. 4.	Sample No. 5.	Sample No. 6.	Sample No. 7.	Sample No. 8.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>					
Specific gravity (60° F.)..	1.0252	1.0314	1.0309					
Solids (calculated).....	9.78	10.61	10.48					
Solids (by drying).....	9.77	10.67	10.68					
Solids, not fat (calculated)	6.88	8.31	8.18					
Solids, not fat (by drying minus fat) (Roese-Gottlieb).....	6.91	8.43	8.40					
Fat (Babcock).....	2.90	2.30	2.30					
Fat (Roese-Gottlieb).....	2.86	2.24	2.28					
Ash.....	0.57	0.57	0.71					
Sediment.....	Present.	Heavy.	Present.	Heavy.	Heavy.	Heavy.	Present.	Present.

The results show in every case the presence of a filthy, decomposed, or putrid animal or vegetable substance: in sample No. 1 the presence of added water; and samples No. 2 and 3 that a portion of the fat has been removed.

Adulteration of 1 can of the milk was alleged in the information for the reason that a substance—to wit, water—had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure milk, which the article purported to be, and for the further reason that it consisted in part of a filthy, decomposed, and putrid animal or vegetable substance. Adulteration of 2 cans of the milk was alleged for the reason that a valuable constituent of the article—to wit, fat—had been in part abstracted therefrom; and for the further reason that it consisted in part of a filthy, decomposed, and putrid animal or vegetable substance. Adulteration of 5 cans of the milk was alleged for the reason that it consisted in part of a filthy, decomposed, and putrid animal or vegetable substance.

On January 31, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$45 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*