

5612. Adulteration of apples. U. S. * * * v. Southern Can Co., a corporation. Plea of nolo contendere. Fine, \$5 and costs. (F. & D. No. 6898. I. S. No. 8994-m.)

On May 31, 1917, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Can Co., a corporation, Baltimore, Md., alleging that said company received from the State of Pennsylvania a quantity of canned apples, in cases, which were adulterated in violation of the Food and Drugs Act, and having so received said article did, on or about July 17, 1916, offer to deliver the same, in the original unbroken packages, to a purchaser in the city of Baltimore, Md., in further violation of said act. The article was labeled in part, "Musselman's Choice Canned Apples. Packed by Musselman Canning Co., Biglerville, Pa."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Each of the three cans examined was leaky. The contents of two of the cans were badly decomposed. The contents of the third can were not fit for food.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On May 31, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$5 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*