

United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

19901-20000

[Approved by the Secretary of Agriculture, Washington, D. C., May 6, 1933]

19901. Violations of the Federal food and drugs act, and conspiracy to commit an offense against the United States. U. S. v. Ferris Habib, Albert Haddad, and Malkoun J. Sayegh. Plea of guilty entered by each defendant. Ferris Habib placed on probation for 2 years. Albert Haddad sentenced to 6 months' imprisonment. Malkoun J. Sayegh sentenced to 2 months' imprisonment. (F. & D. No. 26140. I. S. No. 27914. S. No. 4366.)

On September 18, 1931, the grand jurors for the United States returned, in the United States District Court for the Southern District of New York, an indictment against Ferris Habib, alias L. Ferris, alias Louis Ferris, alias Ferris Yamen; Albert Haddad; and Malkoun J. Sayegh. The indictment contained 12 counts and charged, in counts 1, 2, and 3, violations of the food and drugs act, and in count 10, conspiracy to violate the said act. (The remaining counts charged violations of the internal revenue laws and conspiracy to violate said laws.)

The indictment charged that on or about February 9, 1931, February 17, 1931, and February 24, 1931, respectively, the defendants delivered for shipment in interstate commerce three lots consisting of 1,500 pounds each of oleomargarine which had been taken from its original oleomargarine packages and placed in packages labeled "Pure Creamery Butter;" and which was intended to be and was transported in interstate commerce from New York, N. Y., to Harrisburg, Pa., in violation of section 2, title 21, of the United States Code (commonly known as the food and drugs act), which prohibits the shipment in interstate commerce of any article of food which is adulterated or misbranded.

The indictment further charged that beginning on or about September 1, 1930, and continuing up to and including the date of filing of said indictment, the defendants had combined, conspired, confederated, and agreed together to violate said Federal food and drugs act, i. e., to ship and deliver for shipment in interstate commerce from the State of New York into the State of Pennsylvania 4,500 pounds of oleomargarine, which the defendants intended to misbrand and place in packages marked "Pure Creamery Butter," and that in pursuance of the conspiracy, and to effect the objects thereof, the defendants committed certain overt acts.

On January 7, 1932, the defendants each entered a plea of guilty to the indictment, and the court imposed a sentence of 6 months' imprisonment on Albert Haddad, 2 months' imprisonment on Malkoun J. Sayegh, and placed Ferris Habib on probation for 2 years.

HENRY A. WALLACE, *Secretary of Agriculture.*

19902. Adulteration of canned blackberries. U. S. v. 297 Cases of Blackberries. Default decree of condemnation and destruction. (F. & D. No. 27921. I. S. Nos. 21514, 23078. S. No. 5954.)

This action involved the interstate shipment of a quantity of canned blackberries, samples of which were found to contain excessive mold.

On March 18, 1932, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District