

On February 21, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Market Wholesale Grocers, Inc., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 30, 1932, from the State of Illinois into the State of Iowa, of a quantity of canned pineapple which was adulterated and misbranded. The article was labeled in part: "New Century Brand * * * Grated Hawaiian Pineapple * * * Packed For Crossfeld & Roe Co., Chicago, Ill."

It was alleged in the information that the article was adulterated in that Cuban pineapple had been substituted in whole and in part for Hawaiian pineapple, which the article purported to be.

Misbranding was alleged for the reason that the statement "Hawaiian Pineapple", borne on the can label, was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since it did not consist wholly of Hawaiian pineapple, but did consist in whole or in part of Cuban pineapple.

On May 17, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$100.

M. L. WILSON, *Acting Secretary of Agriculture.*

22393. Adulteration and misbranding of butter. U. S. v. Beatrice Creamery Co. Plea of guilty. Fine, \$400. (F. & D. no. 31418. Sample nos. 29629-A, 29630-A.)

This case was based on a shipment of butter, samples of which were found to contain less than 80 percent by weight of milk fat.

On February 27, 1934, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Beatrice Creamery Co., a corporation trading at Denver, Colo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 29, 1933, from the state of Colorado into the State of California, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "Meadow Gold Butter * * * Beatrice Creamery Company, General Office, Chicago, Ill."

It was alleged in the information that the article was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat as prescribed by the act of March 4, 1923, which the article purported to be.

Misbranding was alleged for the reason that the statement "Butter", borne on the package, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since it was not butter as prescribed by the said act of Congress.

On May 28, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$400.

M. L. WILSON, *Acting Secretary of Agriculture.*

22394. Adulteration of apples. U. S. v. Nash-Corrigan Co. and Ralph E. Richardson. Nash-Corrigan Co. entered plea of guilty; fine \$20. Ralph E. Richardson entered a plea of nolo contendere; fine, \$5. (F. & D. no. 31419. Sample no. 31251-A.)

This case was based on an interstate shipment of apples that were found to bear arsenic and lead in amounts that might have rendered them injurious to health.

On February 21, 1934, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Nash-Corrigan Co., a corporation, Yakima, Wash., and Ralph E. Richardson, of Zillah, Wash., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about February 15, 1933, from the State of Washington into the State of Montana, of a quantity of apples that were adulterated. The article was labeled in part: "Winesap Orchard Run * * * Pheasant Brand Nash Corrigan Company, Yakima, Washington * * * Packed By R. E. Richardson, Zillah, Wash."

It was alleged in the information that the article was adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.