

## 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]

23151-23225

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 6, 1935]

**23151. Misbranding of canned grapefruit juice. U. S. v. Nassau Packing Co. and Soal S. Goffin. Pleas of nolo contendere. Fine, \$50. Soal S. Goffin sentenced to 3 months' imprisonment. Prison sentence suspended and defendant placed on probation for 3 years. (F. & D. no. 28186. I. S. nos. 11788, 21426, 22812.)**

Sample cans of grapefruit juice taken from each of the shipments in this case were found to contain less than the declared volume.

On April 22, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Nassau Packing Co., a corporation, and Soal S. Goffin, Jacksonville, Fla., alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, in various shipments on or about May 6, May 21, and July 15, 1931, from the State of Florida into the State of California, of quantities of grapefruit juice which was misbranded. The article was labeled in part: "Contents 1 Pt. 2 Flu. Ozs. \* \* \* Florida Chief Brand Pure Grape Fruit Juice Packed by the Grape Fruit Packing Company S. S. Goffin Jacksonville, Florida."

The article was alleged to be misbranded in that the statement "Contents 1 Pt. 2 Flu. Ozs.", borne on the label, was false and misleading and for the further reason that it was labeled so as to deceive and mislead the purchaser since each of a number of the cans contained less than 1 pint 2 fluid ounces. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package since the cans contained less than declared.

On October 5, 1934, Soal S. Goffin individually and the corporation, through Goffin, entered pleas of nolo contendere and a fine of \$50 was imposed. Defendant Goffin was also sentenced to 3 months' imprisonment. The prison sentence was suspended and the defendant was placed on probation for 3 years.

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

**23152. Adulteration of canned shrimp. U. S. v. The Nassau Packing Co., Inc. Plea of nolo contendere. Fine, \$50. (F. & D. no. 29378. I. S. nos. 12641, 12659, 12660.)**

This case was found on an interstate shipment of canned shrimp, samples of which were found to be decomposed or putrid.

On April 8, 1933, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Nassau Packing Co., Inc., a corporation, Jackson, Fla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 11, 1931, from the State of Florida into the State of Oregon, of a quantity of canned shrimp which was adulterated.

The article was labeled in part: "Camarones Bella Cubana \* \* \* The Nassauville Packing Company, Nassauville, Florida."

The article was alleged to be adulterated in that it consisted in part of a decomposed and putrid animal substance.

On October 5, 1934, a plea of nolo contendere was entered on behalf of the defendant company, and the court imposed a fine of \$50.

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

**23153. Adulteration of canned shrimp. U. S. v. 43 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 31275. Sample no. 45306-A.)**

This case involved a shipment of canned shrimp which was found to be in part decomposed.

On October 30, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 43 cases of canned shrimp at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about September 5, 1933, by the Mavar Fish & Oyster Co., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a decomposed animal substance.

On November 2, 1934, no claimant having appeared, judgment of condemnation was entered and destruction of the product was ordered.

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

**23154. Adulteration of apples. U. S. v. Pacific Fruit & Produce Co. Plea of guilty. Fine, \$10. (F. & D. no. 31485. Sample no. 31253-A.)**

This case was based on an interstate shipment of apples, examination of which showed the presence of arsenic and lead.

On April 28, 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 Pacific Fruit & Produce Co., a corporation, Yakima, Wash., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 20, 1933, from the State of Washington into the State of Montana, of a quantity of apples which were adulterated. The article was labeled in part: "Winesap \* \* \* Grown and Packed by W. F. Nagler \* \* \* Washington."

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

On October 3, 1934, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$10.

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

**23155. Adulteration and misbranding of preserves, and misbranding of imitation jams. U. S. v. Atlantic Food Products Co. Plea of nolo contendere. Sentence suspended and defendant placed on probation. (F. & D. no. 31511. Sample nos. 33509-A, 33510-A, 33512-A, 33513-A, 33515-A, 33516-A, 34946-A, 34947-A.)**

This case was based on interstate shipments of preserves which contained less fruit and more sugar and water than preserves contain and some of which contained added pectin or added pectin and acid. Several lots of imitation jams which were not clearly and plainly labeled "imitation" and which were short weight, also were involved.

On August 8, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Atlantic Food Products Co., a corporation, trading at Philadelphia, Pa., alleging shipment by said company in violation of the Food and Drugs Act, as amended, between the dates of July 7, 1932, and February 11, 1933, from the State of Pennsylvania into the State of New Jersey, of quantities of fruit preserves which were adulterated and misbranded and of quantities of imitation jams which were misbranded. The preserves were labeled in part: "Nature's Best \* \* \* Pure Strawberry [or "Raspberry"] Preserves Atlantic Food Products Co. Philadelphia." The jams were labeled in part: "Nature's Best 2 Lbs. Net Wt. Imitation Peach [or "Pineapple", "Apricot", "Strawberry", or "Raspberry"] Jam