

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]

26176-26300

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 16, 1937]

26176. Adulteration of canned mackerel. U. S. v. Southern California Fish Corporation. Plea of guilty. Fine, \$100. (F. & D. no. 34085. Sample nos. 11461-B, 17577-B.)

This case involved canned mackerel that was in part decomposed.

On August 12, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Southern California Fish Corporation, Terminal Island, Los Angeles, Calif., alleging shipment by said company on or about August 29, 1934, from the State of California into the States of Alabama and New Jersey of quantities of canned mackerel which was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Sunset Brand California Mackerel * * * Packed by Southern California Fish Corporation, Los Angeles Harbor, Calif."

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

On September 21, 1936, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26177. Adulteration of butter. U. S. v. Ray Hartman (Potomac Valley Creamery). Plea of guilty. Fine, \$10. (F. & D. no. 34088. Sample no. 27506-B.)

This case involved butter that was deficient in milk fat.

On July 24, 1935, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ray Hartman, trading as Potomac Valley Creamery, Franklin, W. Va., alleging that on or about December 11, 1934, the defendant shipped from the State of West Virginia, into the State of Maryland, a quantity of butter which was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product deficient in milk fat because it contained less than 80 percent by weight of milk fat, had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat, which the article purported to be.

On July 10, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

26178. Adulteration and misbranding of honey. U. S. v. 19% Cases of Honey. Tried to a jury. Verdict for the Government. Decree of condemnation. Product turned over to a charitable institution. (F. & D. no. 35461. Sample no. 24200-B.)

This case involved honey that contained commercial invert sugar.

On May 4, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19% cases of honey at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about March 25, 1935, by the Silver Label Products Co., from