

**15637. Adulteration and misbranding of butter. U. S. v. Tremonton Dairy Products Co. Plea of guilty. Fine, \$50. (F. & D. No. 22536. I. S. Nos. 10931-x, 12793-x, 12795-x, 17202-x.)**

On December 15, 1927, the United States attorney for the District of Utah, 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 Tremonton Dairy Products Co., a corporation, Tremonton, Utah, alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about March 24, March 29, July 9, July 12, and July 19, 1927, respectively, from the State of Utah into the State of California, of quantities of butter which was adulterated and misbranded. The article was labeled in part: "Tremonton Dairy Products Co. Tremonton, Utah, Butter."

It was alleged in the information that the article was adulterated in that a substance purporting to be butter, but which was not butter in that it contained less than 80 per cent by weight of milk fat, had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as defined and required by law.

Misbranding was alleged for the reason that the statement, to wit, "Butter," borne on the boxes containing the article, was false and misleading in that the said statement represented the said article to be butter, to wit, a product containing not less than 80 per cent by weight of milk fat as defined and required by law, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was butter, to wit, a product containing not less than 80 per cent by weight of milk fat, whereas, it was not butter in that it contained less than 80 per cent by weight of milk fat.

On January 4, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

W. M. JARDINE, *Secretary of Agriculture.*

**15638. Adulteration of figs. U. S. v. 25 Cases of Black Figs, et al. Default order of destruction entered. (F. & D. No. 22019. I. S. Nos. 17020-x, 17021-x. S. No. 53.)**

On August 11, 1927, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 25 cases of black figs and 10 cases of white figs, remaining in the original unbroken packages at Ogden, Utah, consigned by Guggenhime & Co., Fresno, Calif., alleging that the article had been shipped from Fresno, Calif., on or about June 24, 1927, and had been transported from the State of California into the State of Utah, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Croesus Brand California Standard Black Figs, Guggenhime & Company, California," or "Daphne Brand California Choice White Figs \* \* \* Guggenhime & Company."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On December 15, 1927, no claimant having appeared for the property, judgment was entered finding the product adulterated and ordering that it be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15639. Adulteration and misbranding of canned corn. U. S. v. 246 Cases, et al., of Canned Corn. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22380. I. S. Nos. 19826-x, 19827-x, 19828-x. S. No. 446.)**

On January 19, 1928, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 839 cases of canned corn, remaining in the original packages at Covington, Ky., consigned October 19, 1927, alleging that the article had been shipped by Carroon & Co., Fowler, Ind., and transported from the State of Indiana into the State of Kentucky, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled, in part, variously: "Recall Country Gentleman Sugar Corn, \* \* \* Carroon and Company, Fowler, Ind.;" "Idyl Brand Country Gentleman Corn \* \* \* Covington, Ky.;" or "Carroon's Fancy Country Gentleman Sugar Corn, Extra Selected, \* \* \* Packed by Carroon & Company, Inc., Fowler, Ind."

It was alleged in the libel that the article was adulterated in that a substance, to wit, field corn, had been substituted in part for the article, and had been