26669. Adulteration of tomato catsup. U. S. v. The Yoelin Bros. Merc. Co. Plea of nolo contendere. Fine, $25. (F. & D. no. 37951. Sample no. 67913–B.)

This case involved a shipment of tomato catsup which contained excessive mold, also filth resulting from insect infestation.

On July 27, 1936, 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 Yoelin Bros. Merc. Co., a corporation, Denver, Colo., alleging shipment by said company in violation of the Food and Drugs Act, on or about October 21, 1935, from the State of Colorado into the State of Wyoming, of a quantity of tomato catsup which was adulterated. The article was labeled in part: "Your Best Brand Catsup Tomatoes, Packed for Yoelin Bros. Merc. Co."

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

On November 17, 1936, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of $25.

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

26670. Adulteration of canned salmon. U. S. v. Uganik Fisheries, Inc. Plea of guilty. Fine, $25 and costs. (F. & D. no. 37964. Sample nos. 54394–B, 65036–B, 65144–B, 66888–B, 73454–B.)

This case involved canned salmon that was in part decomposed.

On October 15, 1936, the United States attorney for the third division of the District of Alaska, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Uganik Fisheries, Inc., Seward, Alaska, alleging shipment by said company on or about August 24, 1935, from the Territory of Alaska into the State of Washington, of quantities of canned salmon that was adulterated.

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

On December 11, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $25 and costs.

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

26671. Misbranding of tomato juice. U. S. v. Walla Walla Canning Co. Plea of guilty. Fine, $50. (F. & D. no. 37968. Sample nos. 53433–B, 53465–B.)

This case involved a shipment of canned tomato juice that was short in volume.

On September 12, 1936, 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 Walla Walla Canning Co., Walla Walla, Wash., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 6, 1936, from the State of Washington into the State of Oregon of a quantity of canned tomato juice that was misbranded. The article was labeled in part: (Can) "Walla Walla Valley Brand * * * Tomato Juice Contents 3 Qts. 3 Fl. Ozs., Packed by Walla Walla Canning Co. Walla Walla, Washington."

The article was alleged to be misbranded in that the statement "Contents 3 Qts. 3 Fl. Ozs.," borne on the can label, was false and misleading and in that it was labeled so as to deceive and mislead the purchaser, since the cans did not contain 3 quarts and 3 fluid ounces of the article but did contain a less amount.

On December 2, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50.

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

26672. Adulteration of powdered dried skim milk. U. S. v. Brookhaven Creamery, Inc. Plea of guilty. Fine, $50. (F. & D. no. 37972. Sample no. 48805–B.)

This case involved a shipment of powdered dried skim milk that was filthy and decomposed.

On September 22, 1936, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Brookhaven Creamery, Inc., alleging shipment by said company in violation of the Food and Drugs Act on or about July 15, 1935, from the State of Mississippi into the State of Georgia