of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of $400, conditioned in part that it be relabeled under the supervision of this department, and should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18889. Adulteration of apples. U. S. v. 150 Bushels, et al., of Apples. Decree of condemnation entered. Product released under bond. (F. & D. No. 27079. I. S. Nos. 40505, 40507. S. Nos. 5319, 5323.)

Lead and arsenic having been found on certain samples of apples taken from the shipments herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On October 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 150 bushels and 28,900 pounds of apples at New Orleans, La., alleging that the article had been shipped by the Exall Orchard & Real Estate Co., Paducah, Ky., in part on or about October 3, 1931, and in part on or about October 7, 1931, and had been transported from the State of Kentucky into the State of Louisiana, and charging adulteration in violation of the food and drugs act.

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

On October 16, 1931, J. J. Runfalo & Co., New Orleans, La., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant to be reconditioned under the supervision of this department, upon payment of costs and the execution of a bond in the sum of $800, conditioned in part that it should not be disposed of contrary to the provisions of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18890. Adulteration of butter. U. S. v. Swift & Co. Plea of guilty. Fine, $50. (F. & D. No. 26698. I. S. No. 24746.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the District of Nebraska.

On October 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Swift & Co., a corporation trading at Columbus, Nebr., alleging shipment by said company, in violation of the food and drugs act, on or about May 29, 1931, from the State of Nebraska into the State of Illinois, of a quantity of butter which was adulterated.

It was alleged in the information that the article was adulterated in that a product deficient in milk fat, 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 the act of Congres of March 4, 1923, which the said article purported to be.

On November 30, 1931, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $50.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18891. Adulteration of tomato catsup. U. S. v. 75 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27035. I. S. No. 21632. S. No. 5252.)

Samples of canned tomato catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On October 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 75 cases of tomato catsup, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the