

the further reason that the article was offered for sale under the distinctive name of another article.

On July 31, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17178. Adulteration of apples. U. S. v. 840 Boxes of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24313. I. S. Nos. 012477, 024934. S. No. 2535.)

On December 6, 1929, the United States attorney for the District of South Dakota, 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 840 boxes of apples, remaining in the original unbroken packages at Aberdeen, S. Dak., alleging that the article had been shipped by Harry Thrailkill, Yakima, Wash., on or about November 8, 1929, and transported from the State of Washington into the State of South Dakota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Orchard Run Wagener 163 Washington Apples Canoe Brand Cardwell Fruit Co. Packers and Shippers, Yakima, Washington."

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

On February 18, 1930, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17179. Adulteration of tomato pulp and tomato puree. U. S. v. John F. Richards. Plea of guilty. Fine, \$20. (F. & D. No. 25001. I. S. Nos. 03481, 03482.)

On March 14, 1930, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John F. Richards, Newark, Del., alleging shipment by said defendant, in violation of the food and drugs act, from the State of Delaware into the State of Maryland, on or about October 20, 1928, of a quantity of tomato pulp, and on or about October 31, 1928, of a quantity of tomato puree, which products were adulterated. The tomato pulp was invoiced as tomato pulp. The tomato puree was labeled in part: "Packed by John F. Richards, Newark, Del. Newark Brand Made From Skins and Trimmings Tomato Puree."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On March 14, 1930, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17180. Adulteration of rabbits. U. S. v. 2 Barrels et al., of Rabbits. Default decrees of condemnation, forfeiture, and destruction. (F. & D. No. 24447. I. S. Nos. 025512, 025513. S. No. 2719.)

On January 16, 1930, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 3 barrels of rabbits at Buffalo, N. Y., alleging that the article had been shipped by B. R. McGee, in part from Gault, Mo., and in part from Harris, Mo., on or about December 4, 1929, and transported from the State of Missouri into the State of New York, 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 consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On February 25, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*