

19292. Adulteration of apples. U. S. v. Joseph W. Fox. Plea of guilty. Fine, \$25. (F. & D. No. 25723. I. S. No. 16751.)

Arsenic and lead having been found on apples taken from the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the District of Utah.

On August 1, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against Joseph W. Fox, Norberg, Utah, alleging shipment by said defendant, in violation of the food and drugs act, on or about October 6, 1930, from the State of Utah into the State of Wyoming, of a quantity of apples that were adulterated.

Adulteration was alleged in the information for the reason that the article contained added poisonous and deleterious ingredients, to wit, arsenic and lead, which might have rendered it injurious to health.

On January 16, 1932, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19293. Misbranding of butter. U. S. v. Reuben Cohen (C. & P. Butter Printing Co.). Pleas of guilty. Fines, \$100. (F. & D. Nos. 25701, 26578. I. S. Nos. 021079, 15521.)

Examination of samples of butter from the shipments herein described having shown that a large proportion of the cartons examined contained less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On October 19, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid two informations against Reuben Cohen, trading as C. & P. Butter Printing Co., New York, N. Y., alleging shipment by said defendant, in violation of the food and drugs act as amended, in part on or about August 19, 1929, and in part on or about January 13, 1931, from the State of New York into the State of New Jersey, of quantities of butter that was misbranded. The article was labeled in part: (Carton) "One Pound Net Weight Valley Farm Print Butter. M. Klahr & Co., Distributors, Paterson, New Jersey." The product in one of the consignments consisted of cubes inclosed in wrappers labeled in part: "4 Ounces Net."

It was alleged in the informations that the article was misbranded in that the statement "One Pound Net Weight," borne on the cartons, and the statement "4 Ounces Net," borne on the wrappers inclosing the cubes in one of the shipments, were false and misleading in that the said statements represented that the cartons each contained 1 pound net, and that the said wrappers inclosed 4 ounces net of butter; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the cartons each contained 1 pound net, and that the wrappers each inclosed 4 ounces net of butter, whereas the said cartons contained less than 1 pound of the article and the said wrappers inclosed less than 4 ounces net of the article. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages, since the statements made were incorrect.

On January 11, 1932, the defendant entered pleas of guilty to the informations, and the court imposed fines totaling \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19294. Adulteration of canned salmon. U. S. v. 436 Cases of Canned Salmon. Decree of condemnation entered. Product released under bond. (F. & D. Nos. 27416, 27417, 27418, 27575, 27576, 27577, 27578, 27579. I. S. No. 47161. S. No. 5594.)

Samples of canned salmon from the shipment herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On December 21, 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 436 cases of canned salmon, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by McGovern & McGovern, Seattle, Wash., on or about August 15, 1931, and had been transported from the State of Washington into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article

was labeled in part: "See Flyer Brand Alaska Pink Salmon * * * Distributed by McGovern & McGovern, Seattle, U. S. A."

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

On February 16, 1932, the Wrangell Packing Corporation, Seattle, Wash., 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 upon payment of costs and the execution of a bond in the sum of \$2,500, conditioned in part that it be shipped to San Francisco, Calif., and reconditioned to conform to Government requirements, and that it should not be sold or disposed of until inspected by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19295. Adulteration of dried peaches. U. S. v. 75 Boxes of Dried Peaches. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27340. I. S. No. 296. S. No. 5522.)

Samples of dried peaches from the shipment herein described having been found to be insect-infested, moldy, dirty, and decayed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of South Carolina.

On December 17, 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 boxes of dried peaches, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped on November 21, 1931, by Guggenhime & Co., from San Francisco, Calif., and had been transported from the State of California into the State of South Carolina, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Package) "25 lbs. Net Madrone Brand California Peaches prepared with sulphur dioxide. Guggenhime & Company, California."

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

On February 4, 1932, no claimant having appeared, 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.*

19296. Adulteration of rabbits. U. S. v. 1 Barrel of Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27314. I. S. No. 45306. S. No. 5501.)

The rabbits in the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On November 30, 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 1 barrel of rabbits at Chicago, Ill., alleging that the article had been shipped on November 23, 1931, by T. B. Morris, from Rothville, Mo., and had been transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration was alleged in the libel for the reason that the product consisted in part of a decomposed animal substance.

On January 11, 1932, no claimant having appeared for the property, a decree 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.*

19297. Adulteration of rabbits. U. S. v. 91 Rabbits. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27325. I. S. No. 47902. S. No. 5503.)

A large proportion of the rabbits in the shipment herein described having been found to be decomposed, diseased, and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 1, 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 91 rabbits contained in 1 barrel at Chicago, Ill., alleging that