

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

On July 29, 1931, 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.*

19421. Adulteration of dried apples. U. S. v. 2,000 Pounds of Dried Apples. Product released under bond to be salvaged. Unfit portion destroyed. (F. & D. No. 27645. I. S. No. 41716. S. No. 5666.)

Examination of samples of dried apples from the shipment herein described having shown the product to be in part insect-infested, decayed, and dirty, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On January 7, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 2,000 pounds of dried apples at St. Louis, Mo., alleging that the article had been shipped on or about October 29, 1931, by G. B. Shafer, Prairie Grove, Ark., and had been transported in interstate commerce from the State of Arkansas into the State of Missouri, 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 part of a filthy, decomposed, or putrid vegetable substance.

On February 1, 1932, J. W. Teasdale & Co., St. Louis, Mo., claimant, having admitted the allegations of the libel, and the court having found that a portion of the product was fit for human consumption and could be separated from the unfit portion, a decree was entered ordering that the product be released to the said claimant, upon the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or disposed of contrary to the provisions of the Federal food and drugs act, or all other laws, and that the unfit portion be destroyed. It was further ordered that claimant pay the costs of the proceedings.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19422. Adulteration of herring. U. S. v. 2 Boxes of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28247. I. S. No. 52174. S. No. 6100.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On April 7, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of two boxes of herring at Chicago, Ill., alleging that the article had been shipped by George Pyette, from Two Harbors, Minn., on or about March 31, 1932, and had been transported from the State of Minnesota into the State of Illinois, 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 part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On May 11, 1932, 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.*

19423. Adulteration of herring. U. S. v. 1 Box of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28245. I. S. No. 52171. S. No. 6098.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On April 7, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of one box of herring at Chicago, Ill., alleging that the article had been shipped by Oscar Pedersen, from Two Harbors, Minn., on or about March 31, 1932, and had been transported from the State of Minnesota into the State of Illinois, 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 part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On May 11, 1932, 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.*

19424. Adulteration of bluefin herring. U. S. v. 3 Boxes of Bluefin Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28034. I. S. No. 52142. S. No. 6073.)

Samples of herring from the shipment herein described having been found to be infested with worms and unfit for food, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On April 1, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three boxes of herring at Chicago, Ill., alleging that the article had been shipped by H. Mickelson from Two Harbors, Minn., on or about March 29, 1932, and had been transported from the State of Minnesota into the State of Illinois, 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 part of a filthy, decomposed, and putrid animal substance. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On May 11, 1932, 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.*

19425. Misbranding of butter. U. S. v. David P. Clow (Moffat County Creamery Co.). Plea of guilty. Fine, \$5. (F. & D. No. 25730. I. S. Nos. 11991, 11992.)

Sample packages of butter taken from the shipments herein described having been found to contain less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On May 12, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid an information against David P. Clow, trading as the Moffat County Creamery Co., Craig, Colo., alleging shipment by said defendant, in violation of the food and drugs act as amended, in part on or about December 8, 1930, and in part on or about December 10, 1930, from the State of Colorado into the State of Wyoming, of a quantity of butter that was misbranded. The article was labeled in part: "Yampa Valley Butter * * * One Pound Net Moffat County Creamery * * * Craig, Colorado."

It was alleged in the information that the article was misbranded in that the statement "One Pound Net," borne on the packages, was false and misleading in that the said statement represented that the packages each contained 1 pound of butter; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that the packages each contained 1 pound of butter; whereas the packages contained less than 1 pound of butter. 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 package, since the statement made was incorrect.

On October 28, 1931, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19426. Misbranding and alleged adulteration of canned tomatoes. U. S. v. 15 Cases of Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25475. I. S. No. 9151. S. No. 3734.)

Samples of canned tomatoes from the shipment herein described having been found to contain added tomato puree, pulp, or juice, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of West Virginia.