

that the product be reconditioned to contain at least 80 per cent by weight of milk fat. On May 6, 1932, 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 \$1,000, conditioned in part that it be reworked so that it comply with the Federal food and drugs act and all other laws, and that it should not be disposed of until examined and approved by this department.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19842. Adulteration of pecans. U. S. v. 94 Bags of Pecans. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 28006. I. S. No. 52175. S. No. 6070.)**

This action involved the interstate shipment of a quantity of pecans, samples of which were wormy, decomposed, moldy, and rancid.

On or about April 18, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 94 bags of pecans at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about March 25, 1932, by H. L. Cromartie from Albany, Ga., to Chicago, Ill., 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 vegetable substance.

On May 12, 1932, F. W. Woolworth Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry 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 \$1,000, conditioned that it should not be sold or otherwise disposed of contrary to the Federal food and drugs act and all other laws. The decree further provided that the product be reselected under the supervision of this department in order to separate the bad portion from the good portion. In the process of separation the unfit portion was destroyed by burning.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19843. Adulteration of cherries. U. S. v. Webster Smith. Plea of guilty. Fine, \$25. (F. & D. No. 28041. I. S. No. 34432.)**

Arsenic was found on samples of cherries taken from the interstate shipment on which this action was based.

On May 12, 1932, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Webster Smith, Germantown, N. Y., alleging shipment by said defendant, in violation of the food and drugs act, on or about July 16, 1931, from the State of New York into the State of Massachusetts, of a quantity of cherries that were adulterated.

It was alleged in the information that the article was adulterated in that it contained an added poisonous and deleterious ingredient, arsenic, which might have rendered it injurious to health.

On May 31, 1932, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

HENRY A. WALLACE, *Secretary of Agriculture.*

**19844. Adulteration of apple chops. U. S. v. 309 Bags of Apple Chops. Decree of condemnation and forfeiture, with provision for release of product under bond. Amended decree ordering product destroyed. (F. & D. No. 27947. I. S. No. 47023. S. No. 5995.)**

This action involved the interstate shipment of a quantity of apple chops, samples of which were found to be decomposed and filthy.

On March 25, 1932, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 309 bags of apple chops, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about May 24, 1931, by the Gilbert Apple Products Co., from Brockport, N. Y., to Minneapolis, Minn., and charging adulteration in violation of the food and drugs act.