

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance, and in that it consisted of portions of animals unfit for food.

On November 3, 1932, it was ordered by the court in view of the perishable nature of the fish, that it be immediately destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20421. Adulteration of cauliflower. U. S. v. 132 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29271. Sample no. 20804-A.)

This action involved the interstate shipment of a quantity of cauliflower, samples of which were found to contain arsenic in an amount which might have rendered the article injurious to health.

On October 21, 1932, the United States attorney for the District of New Jersey, 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 132 crates of cauliflower, remaining in the original and unbroken packages at Newark, N.J., alleging that the article had been shipped on or about October 20, 1932, by M. Sternick, Inc., from Calverton, Long Island, N.Y., to Newark, N.J., 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 an added poisonous or deleterious ingredient, arsenic, which might have rendered the article injurious to health.

On November 22, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20422. Adulteration of canned salmon. U. S. v. 750 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 29123. Sample nos. 22559-A, 22560-A, 22561-A.)

This action involved the interstate shipment of a quantity of canned salmon, samples of which were found to be partially decomposed.

On October 27, 1932, the United States attorney for the Eastern District of Virginia, 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 750 cases of canned salmon, remaining in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped in interstate commerce, on or about September 9, 1932, by McGovern & McGovern, from Seattle, Wash., to Norfolk, Va., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "McGovern's Best 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 November 16, 1932, the Standard Packing Co., 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 \$1,116, conditioned that it be made to conform to the Federal Food and Drugs Act, under the supervision of this Department, and that it should not be sold or disposed of contrary to the provisions of said act, and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20423. Adulteration of apples. U. S. v. 20 Bushels, et al., of Apples. Decrees of condemnation and forfeiture. Portion of the product ordered released under bond; remainder destroyed. (F. & D. nos. 29085, 29221, 29222, 29568. Sample nos. 24456-A, 24718-A, 24828-A, 24949-A, 24950-A, 24951-A.)

These actions involved the interstate shipment of quantities of apples that were found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On or about September 28, October 15, and November 4, 1932, the United States attorney for the Northern District of Illinois, acting upon reports by the

Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 463 bushels of apples at Chicago, Ill., consigned by C. C. Kniebes, Watervliet, Mich., alleging that the article had been shipped in interstate commerce from Watervliet, Mich., in various consignments on September 16, September 17, September 22, and October 12, 1932, and had been transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

In was alleged in the libels that the article was adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, in amounts which might have rendered the article injurious to health.

Cornelius C. Kniebes filed a claim and answer to the two libels involving 100 bushels and 283 bushels, respectively, of the product, admitted the allegations of the libels, and consented to the entry of decrees. On November 23, 1932, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the said 378 bushels of the product be released to the claimant to be washed in order to remove the deleterious ingredients, upon payment of costs and the execution of bonds totaling \$1,000, conditioned that the article should not be sold or disposed of contrary to the provisions of the Food and Drugs Act and all other laws. No claim or answer was filed in the cases involving the remainder of the product, and on November 16 and December 15, 1932, judgments were entered ordering that the product be condemned and forfeited and that it be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20424. Adulteration of apples. U. S. v. 25 Bushels, et al., of Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. nos. 29088, 29089, 29090, 29142. Samples nos. 24836-A, 24837-A, 24853-A, 24859-A, 24860-A, 24873-A.)

These actions involved the interstate shipment of quantities of apples that were found to bear arsenic and lead in amounts that might have rendered the article injurious to health.

On October 1, 1932, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 291 bushels of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce in various consignments by Otto Kelder, from South Haven, Mich., to Chicago, Ill., between the dates of September 23 and September 28, 1932, and charging adulteration in violation of the Food and Drugs Act.

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

C. H. Weaver & Co., Chicago, Ill., appeared and filed a claim and answer admitting the allegations of the libels and consenting to the entry of a decree. On October 6, 1932, the cases having been consolidated into one cause of action, judgment of condemnation and forfeiture was entered. The court having found that the product might be washed so that it could be sold without violation of the law, ordered that it might be released to the claimant to be washed to remove the deleterious substances, upon payment of costs and the execution of a bond in the sum of \$500, conditioned that the apples should not be disposed of in violation of the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20425. Adulteration and misbranding of butter. U. S. v. 90 Boxes, et al., of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. nos. 29070, 29212. Sample nos. 9498-A, 16404-A.)

These actions involved interstate shipments of quantities of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter prescribed by Congress.

On October 3 and October 10, 1932, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 207 boxes of butter, remaining in the original and unbroken packages at Springfield, Mass., consigned in part on or about September 21, 1932, and in part on or about September 29, 1932, alleging that