

the article had been shipped in interstate commerce by the North American Creameries, Inc., from Paynesville, Minn., to Springfield, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libels that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, which the article purported to be.

Misbranding was alleged for the reason that the product was an imitation of and was offered for sale under the distinctive name of another article, "Butter."

The North American Creameries Co., Inc., Boston, Mass., appeared as claimant for the property and admitted the allegations of the libels. On October 18, 1932, the cases having been consolidated into one cause of action, 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 \$3,000, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act, and all other laws. It was further ordered that the product be reworked under the supervision of this Department so that it contain at least 80 percent of butterfat.

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

20426. Adulteration of apples. U. S. v. 165 Barrels, et al., of Apples. Product released under bond for cleaning to remove deleterious substances. (F. & D. nos. 29156, 29158, 29159. Sample nos. 23959-A, 23960-A, 23961-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 the article injurious to health.

On October 5, 1932, the United States attorney for the Southern District of Iowa, 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 165 barrels and 650 bushel baskets of apples at Burlington, Iowa, alleging that the article had been shipped in interstate commerce in various consignments on or about September 15, 17, and 20, 1932, respectively, by H. M. Seymour, from Fall Creek, Ill., to Burlington, Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grown & Packed By H. M. Seymour Payson, Ill."

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

On October 17, 1932, H. M. Seymour, Fall Creek, Ill., having appeared as claimant for the property and having filed bonds in the total sum of \$1,500, conditioned that the product be made to conform to the law, judgments were entered by the court ordering that the apples be released to the claimant for washing and cleaning to remove the deleterious substances, and that all expenses and costs incurred be paid by claimant.

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

20427. Adulteration of canned salmon. U. S. v. 150 Cases of Sea Flyer Brand Alaska Pink Salmon. Consent decree of condemnation and forfeiture. Product released under bond for segregation and destruction of decomposed portion. (F. & D. nos. 29197, 29198. Sample no. 7062-A.)

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

On November 4, 1932, the United States attorney for the Southern District of Alabama, 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 150 cases of canned salmon at Mobile, Ala., alleging that the article had been shipped in interstate commerce by McGovern & McGovern, on or about September 11, 1932, from Seattle, Wash., to Mobile, Ala., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Sea Flyer Brand Alaska Pink Salmon."

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

On November 23, 1932, the Standard Packing Co., Seattle, Wash., 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 for segregation and destruction of the cans containing bad salmon. The decree provided that the product might be shipped to Seattle, Wash., for segregation; and ordered that claimant pay all costs connected therewith, also court costs; and required execution of a bond in the sum of \$1,000 to insure compliance with its terms.

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

20428. Adulteration of cauliflower. U. S. v. 26 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29226. Sample nos. 13320-A, 13321-A.)

This action involved an interstate shipment of cauliflower that was found to bear arsenic and lead in amounts which might have rendered the article injurious to health.

On or about October 14, 1932, the United States attorney for the Southern District of Texas, 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 26 crates of cauliflower, remaining in the original packages at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about October 2, 1932, by the Hartner Produce Co., from Denver, Colo., to Houston, Tex., 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 added poisonous and deleterious ingredients, to wit, arsenic and lead, which ingredients might have rendered it injurious to health.

On November 1, 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.*

20429. Adulteration of cauliflower. U. S. v. 89 Crates, et al., of Cauliflower. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29228, 29229. Sample nos. 21103-A, 21105-A.)

These actions involved interstate shipments of cauliflower that was found to bear arsenic in an amount which might have rendered the article injurious to health.

On October 21, 1932, the United States attorney for the Eastern District of Pennsylvania, 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 139 crates of cauliflower, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 20, 1932, by Ross M. Case, from River Head, Long Island, N.Y., to Philadelphia, Pa., 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 an added poisonous or deleterious ingredient, arsenic.

On November 18, 1932, 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.

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

20430. Adulteration of cauliflower. U. S. v. 150 Crates of Cauliflower. Consent decree of condemnation, forfeiture, and destruction. (F. & D. no. 29238. Sample no. 16733-A.)

This action involved an interstate shipment of cauliflower that was found to bear arsenic in an amount which might have rendered the article injurious to health.

On October 17, 1932, the United States attorney for the Southern District of Florida, 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 150 crates of cauliflower at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about October 8, 1932, by the Western Vegetable Distributors, from Denver, Colo. to Tampa, Fla., 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 and deleterious ingredient, to wit, arsenic, which might have rendered such product injurious to health.