

21348. Adulteration of vinegar. U. S. v. 79 and 108 Half Barrels of Vinegar. Default decrees of condemnation, forfeiture, and destruction. (F. & D. no. 29623. Sample nos. 32915-A, 32916-A.)

These actions involved returned shipments of vinegar that contained arsenic in an amount that might have rendered it injurious to health.

On December 13, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 187 half barrels of vinegar at Middleport, N.Y., alleging that the article had been shipped in interstate commerce in part on or about November 17, 1932, from Flint, Mich., and in part on or about November 21, 1932, from Cleveland, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "W. E. Mathes Vinegar Co. Pure Apple Cider Vinegar Made from fresh apples reduced to 4% Acidity * * * Albion, N.Y."

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

On July 5, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21349. Adulteration of dried grapes. U. S. v. 55 Cases of Dried Grapes. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29649. Sample no. 27832-A.)

This case involved a shipment of dried grapes that were found to be insect-infested.

On December 15, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 cases of dried grapes at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about December 6, 1932, by the Lion Packing Co., from Oakland, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lion Brand Alicante Selected Calif. Dried Black Grapes Packed by Lion Packing Co. Fresno, California."

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

On July 8, 1933, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

21350. Misbranding of salad mustard. U. S. v. 13 Cases of Salad Mustard. Default decree of condemnation and destruction. (F. & D. no. 29758. Sample no. 18179-A.)

This case involved an interstate shipment of mustard, the package or label of which failed to bear a statement of the quantity of the contents as required by law.

On January 21, 1933, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cases of salad mustard at Birmingham, Ala., alleging that the article had been shipped on or about December 3, 1932, by the Mid-West Food Packers, Inc., from Fowlerton, Ind., and charging misbranding in violation of the Food and Drugs Act as amended. The article was unlabeled at the time of shipment.

It was alleged in the libel that the article was misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package when shipped in interstate commerce.

On July 8, 1933, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*