

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 5, 1934, no claimant having appeared, judgments of condemnation were entered, and it was ordered that the product be destroyed.

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

**23376. Adulteration of cauliflower. U. S. v. 45 Crates of Cauliflower. Default decree of condemnation and destruction. (F. & D. no. 34153. Sample no. 17881-B.)**

An examination of the cauliflower involved in this case showed the presence of arsenic and lead in amounts that might have rendered it injurious to health.

On October 9, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 crates of cauliflower at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 8, 1934, by Emil Zywicke, from Yardville, N. J., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 5, 1934, no claimant having appeared, judgment of condemnation was entered, and it was ordered that the product be destroyed.

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

**23377. Adulteration of pears. U. S. v. 34 Bushels of Pears. Default decree of condemnation and destruction. (F. & D. no. 34155. Sample no. 13419-B.)**

Examination of the pears involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On September 27, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 34 bushels of pears at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about September 17, 1934, by M. L. Council, from Stevensville, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Council R-2 St. Joseph, Mich. \* \* \* Howell."

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

On November 15, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**23378. Misbranding of salad oil. U. S. v. 9 Cases and 29 Cases of Salad Oil. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 34173. Sample nos. 10540-B, 10541-B.)**

This case involved a product consisting essentially of domestic cottonseed oil with some peanut oil and some olive oil present, that was labeled to convey the impression that it was imported olive oil.

On October 23, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 38 cases of salad oil at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about April 16, 1934, by the Modern Packing Co., from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Olio Fino Balbo Brand Tipo Lucca."

The article was alleged to be misbranded in that the statement, "Olio Fino Balbo Brand Tipo Lucca", together with the designs of olive branches and coat of arms with crown, appearing on the label, were misleading and tended to deceive and mislead the purchaser, since they created the impression that the product was imported Italian olive oil; whereas it was essentially domestic cottonseed oil with some peanut and olive oil, and the misleading impression