

**24376. Adulteration of canned shrimp. U. S. v. 234 Cartons of Canned Shrimp. Consent decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 34108. Sample no. 17063-B.)**

This case involved an interstate shipment of canned shrimp which was in part decomposed.

On October 18, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 234 cartons of canned shrimp at Perth Amboy, N. J., alleging that the article had been shipped in interstate commerce on or about September 1, 1934, by the Robinson Canning Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Flagstaff Wet Shrimp \* \* \* Distributors Greenspan Bros. Co. Perth Amboy, N. J."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On February 18, 1935, the Robinson Canning Co., Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the decomposed portion be segregated and destroyed.

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

**24377. Adulteration and misbranding of ginger ale. U. S. v. 18 Cartons of Ginger Ale. Default decree of condemnation and destruction. (F. & D. no. 34116. Sample no. 11551-B.)**

This case involved a shipment of a product sold as ginger ale. Examination showed that it contained undeclared caffeine and was not ginger ale but was a ginger-flavored caffeinated drink.

On or about October 20, 1934, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 cartons of ginger ale at Gulfport, Miss., alleging that the article had been shipped in interstate commerce on or about July 14, 1934, by the Buffalo Rock Co., Birmingham, Ala., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Buffalo Rock Pale Ginger Ale \* \* \* Bottled by Buffalo Rock Company, Birmingham, Ala."

The article was alleged to be adulterated in that a substance containing caffeine had been substituted for ginger ale.

Misbranding was alleged for the reason that the statement "ginger ale", was false and misleading and tended to deceive and mislead the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On March 1, 1935, 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.*

**24378. Adulteration of apples. U. S. v. 357 Baskets, et al., of Apples. Consent decrees of condemnation. Product released under bond, conditioned that deleterious substances be removed. (F. & D. nos. 34131, 34256, 34257, 34312. Sample nos. 4280-B, 4281-B, 4283-B, 4297-B to 4300-B, incl., 23480-B, 23481-B, 23482-B.)**

Examination of the apples involved in these cases showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On September 29, October 10, and October 15, 1934, the United States attorney for the Southern District of Iowa, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 4,098 bushels of apples in various lots at Burlington, Davenport, and Ottumwa, Iowa, alleging that the article had been shipped in interstate commerce between the dates of September 14 and October 4, 1934, by Louis Cohen [one shipment in the name of the Lewis Cohen Co.], from Grafton, Ill., and charging adulteration in violation of the Food and Drugs Act.

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 October 17, 1934, the Louis Cohen Co. having appeared as claimant for the property and having consented to the entry of decrees, judgments of con-