

24421. Adulteration of dried apricots. U. S. v. 10 Boxes of Dried Apricots. Default decree of condemnation and destruction. (F. & D. no. 34737. Sample no. 26340-B.)

This case involved dried apricots which were in part decomposed, dirty, and insect-infested.

On January 8, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 boxes of dried apricots at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about December 11, 1934, by the George Abeling Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "California Whole Apricots—Prepared with Sulphur Dioxide—George Abeling Company, San Francisco, Calif."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On March 21, 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.*

24422. Adulteration of canned peaches. U. S. v. 99 Cases of Canned Peaches. Default decree of condemnation and destruction. (F. & D. no. 34740. Sample no. 27834-B.)

This case involved a shipment of canned peaches which were in part wormy and worm-eaten.

On January 8, 1935, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 cases of canned peaches at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about July 24, 1934, by Roberts Bros., Inc., from Americus, Ga., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Indian Hunter Brand Peaches * * * distributed by Roberts Brothers, Inc., main office Baltimore, Md."

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

On February 14, 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.*

24423. Adulteration of potatoes. U. S. v. 360 Sacks of Potatoes. Consent decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 34788. Sample no. 9376-B.)

This case involved a shipment of potatoes which were in part hollow and affected with dry rot.

On November 21, 1934, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 sacks of potatoes at Vermillion, S. Dak., alleging that the article had been shipped in interstate commerce on or about November 17, 1934, by R. L. Higgens & Co., from Minneapolis, Minn., and charging adulteration in violation of the Food and Drugs Act.

The libel charged that the potatoes were adulterated in that they were in part hollow and affected with dry rot.

On December 31, 1934, M. C. Ragatz & Son Co., 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 removed and destroyed.

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

24424. Adulteration of butter. U. S. v. 3 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 34790. Sample no. 27506-B.)

This case involved a shipment of butter which contained less than 80 percent of milk fat.

On December 19, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three tubs of butter at Baltimore, Md., alleging that the article had been shipped in interstate com-

merce on or about December 11, 1934, by Potomac Valley Creamery, from Franklin, W. Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

On February 18, 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.*

24425. Adulteration of apples. U. S. v. 4,164 Bushels of Apples. Decree of condemnation. Product released under bond for removal of deleterious substances. (F. & D. no. 34796. Sample nos. 2282-B, 2284-B to 2287-B incl., 2299-B, 2300-B, 25101-B.)

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

On December 4, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4,164 bushels of apples at Detroit, Mich., alleging that the article had been shipped in interstate commerce in various consignments between the dates of October 15 and October 19, 1934, by Meyer Brooks, 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, in amounts that might have rendered it injurious to health.

On February 19, 1935, the Pie Bakeries of Michigan, Detroit, Mich., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the deleterious substances be removed by peeling under the supervision of this Department.

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

24426. Adulteration of apples. U. S. v. 143 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 34798. Sample no. 13525-B.)

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

On October 23, 1934, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 143 bushels of apples at Gary, Ind., alleging that the article had been shipped in interstate commerce on or about October 19, 1934, by John Serbu, from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Sam Braudo R-3 Benton Harbor Mich."

The apples were alleged to be adulterated in that they contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered them injurious to health.

On March 20, 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.*

24427. Adulteration of apples. U. S. v. 23 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 34801. Sample no. 18499-B.)

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

On November 5, 1934, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 23 bushels of apples at Hammond, Ind., alleging that the article had been shipped in interstate commerce on or about October 30, 1934, by Paul Pewowar, from Hartford, Mich., and charging adulteration in violation of the Food and Drugs Act.

The apples were alleged to be adulterated in that they contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered them harmful to health.