

Food and Drugs Act, as amended. The article was labeled in part: "Stadium Brand Bartlet Pears in Syrup Packed for Standard Grocery Company Tacoma, Wash."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since the pears were not normal sized, were not uniform sized, and were not in unbroken halves; and its package or label did not bear a plain and conspicuous statement prescribed by regulations of this Department indicating that it fell below such standard.

On January 18, 1937, the Standard Grocery Co., Tacoma, Wash., claimant, 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 it be properly relabeled.

W. R. GREGG, *Acting Secretary of Agriculture.*

26916. Misbranding of canned salmon. U. S. v. 1,350 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. no. 38898. Sample nos. 23602-C, 32408-C.)

This salmon was represented to be Select quality but in fact consisted of salmon of inferior quality.

On December 31, 1936, 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 1,350 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about September 13, 1936, from Tyee, Alaska, by the Sebastian-Stuart Fish Co., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Dawn Brand Select Salmon * * * Select Pink Salmon Packed By Sebastian Stuart Fish Co. Main Office Seattle."

The article was alleged to be misbranded in that the statements, "Select Salmon" and "Select Pink Salmon", borne on the label were false and misleading and tended to mislead and deceive the purchaser when applied to salmon of an inferior quality.

On January 28, 1937, the Sebastian-Stuart Fish Co. having appeared as claimant 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 it be relabeled under the supervision of this Department.

W. R. GREGG, *Acting Secretary of Agriculture.*

26917. Adulteration of apples. U. S. v. 312 Boxes of Apples. Consent decree of condemnation. Product released under bond. (F. & D. no. 38939. Sample no. 10381-C.)

This product was contaminated with arsenic and lead.

On December 19, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation 312 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about November 25, 1936, by Mrs. A. F. Guinan from Yakima, Wash., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Triton Apples The Triton Company Seattle."

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

On December 24, 1936, Ben Harvey, claimant, having consented to the entry of a decree 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 it should not be disposed of in violation of the law.

W. R. GREGG, *Acting Secretary of Agriculture.*

26918. Adulteration of apples. U. S. v. 815 Boxes of Apples. Product ordered released under bond. (F. & D. no. 38940. Sample no. 10382-C.)

These apples were contaminated with arsenic and lead.

On December 21, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 815 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in

interstate commerce on or about December 12, 1936, by the J. C. Palumbo Fruit Co., from Payette, Idaho, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "J. C. Palumbo Fruit Co., Payette, Idaho."

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

On December 31, 1936, C. A. Glass & Co., Inc., Los Angeles, Calif., claimant, having admitted the allegations of the libel and having consented to the condemnation of the product, judgment was entered ordering that the apples be released under bond conditioned that they would not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

W. R. GREGG, *Acting Secretary of Agriculture.*

26919. Adulteration of apples. U. S. v. 63 Boxes of Apples. Default decree of condemnation and destruction. (F. & D. no. 38941. Sample nos. 10384-C, 10385-C, 10386-C.)

These apples were contaminated with lead and arsenic.

On December 24, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 63 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 16, 1936, by Adolph Hildebrand, from Dallas, Oreg., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "A Hildebrand Dallas Ore."

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

On January 12, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

26920. Adulteration of apples. U. S. v. 435, 158, and 194 Boxes of Apples. Consent decrees entered. Product released under bond. (F. & D. nos. 38942, 38943, 38963. Sample nos. 10387-C, 10388-C, 10389-C, 10391-C, 10392-C.)

A part of these apples were contaminated with lead and arsenic and the remainder with lead only.

On December 23, 28, and 31, 1936, the United States attorney for the Southern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 787 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 17, 19, and 21, 1936, by the Pacific Distributors from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part, variously: "L. Koutek, Scappoose, Ore."; "Grown by G. H. Goff, Scappoose, Ore."; "Henry Hildebrand Dallas, Ore."

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients which might have rendered it injurious to health, namely, arsenic and lead in certain lots and lead in the remaining lot.

On December 28 and 31, 1936, and January 5, 1937, Julius J. Helfend, claimant, having consented to the condemnation of the product, and having admitted the allegations of the libels, judgments were entered ordering that the apples be released under bond, conditioned that they should not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

W. R. GREGG, *Acting Secretary of Agriculture.*

26921. Adulteration of ciscoes (fish). U. S. v. 55, 20, 20, and 56 Boxes of Ciscoes. Default decrees of condemnation and destruction. (F. & D. nos. 38964, 38965, 38967, 38968. Sample nos. 17124-C, 17125-C, 26526-C, 26527-C.)

This product was infested with worms.

On January 7, 1937, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 151 boxes of ciscoes at New York, N. Y., alleging that the article had been shipped on or about January 4 and January 5, 1937, by H. Meyer from Montreal, Quebec, Canada,