

**28272. Adulteration of apples. U. S. v. One Carload (and 3 other seizures) of Apples. Decrees of condemnation. Three lots ordered destroyed; remaining lot ordered released under bond.** (F. & D. Nos. 40874, 40876, 40931, 41142. Sample Nos. 45925-C, 49489-C, 49722-C, 60386-C, 60389-C, 60393-C.)

This product was contaminated with arsenic and lead.

On October 29 and November 4, 9, and 16, 1937, the United States attorneys for the Eastern and Western Districts of Wisconsin, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 1 carload of apples at Milwaukee, Wis., 1 carload of apples at Green Bay, Wis., 871 bushels of apples at Fond du Lac, Wis., and 325 bushels of apples at Rhinelander, Wis., alleging that the article had been shipped in interstate commerce in part from Douglas, Mich., and in part from Kaleva, Mich., between the dates of October 12 and November 3, 1937, by the Cohodas Orchard Co., 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 November 29, 1937, the Cohodas Orchard Co. having filed a claim for the lot seized at Rhinelander, Wis., and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the apples involved be released under bond conditioned that they be made to conform with the law. On December 14, 1937, Cohodas Bros. Co. having filed a claim for the lots seized at Milwaukee, Green Bay, and Fond du Lac, Wis., and having filed motions for the entry of decrees permitting the return of the apples and the said motions having been denied and no other pleading having been filed, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28273. Adulteration of apples. U. S. v. 306 and 80 Bushels of Apples. Consent decree of condemnation and destruction.** (F. & D. No. 40974. Sample Nos. 688-C, 389-C.)

This product was contaminated with arsenic and lead.

On or about November 19, 1937, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 386 bushels of apples at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about November 11 and 17, 1937, from Knox Nursery & Orchard Co., Vincennes, Ind., by truck driven by L. Gorman, 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, lead and arsenic, which might have rendered it injurious to health.

On November 20, 1937, the claimants, having consented, judgment of condemnation was entered ordering the product destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28274. Adulteration of apples. U. S. v. 195 Bushels of Apples. Default decree of condemnation and destruction.** (F. & D. No. 41141. Sample No. 685-C.)

This product was contaminated with arsenic and lead.

On November 18, 1937, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 195 bushels of apples at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about November 15, 1937, from Hall Orchard, Seymour, Ind., 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, lead and arsenic, which might have rendered it injurious to health.

On December 9, 1937, no claimant having appeared, judgment of condemnation was entered ordering the product destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28275. Adulteration of apples. U. S. v. 37 Bushels of Apples. Default decree of condemnation and destruction.** (F. & D. No. 41515. Sample No. 56430-C.)

This product was contaminated with arsenic and lead.

On or about September 27, 1937, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district

court a libel praying seizure and condemnation of 37 bushels of apples at Wichita, Kans., alleging that the article had been shipped in interstate commerce on or about September 2, 1937, from Bentonville, Ark., by I. R. Sewell, to himself at Wichita, Kans., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous ingredient, a compound of arsenic and lead, which might have rendered it injurious to health.

On January 10, 1938, no claimant having appeared, judgment of condemnation was entered ordering the product destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28276. Adulteration of apples. U. S. v. 252 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 41353. Sample No. 67842-C.)**

This product was contaminated with arsenic and lead.

On November 27, 1937, 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 252 bushels of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 22, 1937, by John Provenzano from Coloma, Mich., 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 December 3, 1937, the claimants having admitted the allegations of the libel, and having consented to the entry of a decree, judgment of condemnation was entered ordering the product destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28277. Adulteration of apples. U. S. v. 39 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 41796. Sample No. 1621-D.)**

This product was contaminated with lead.

On February 4, 1938, 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 39 bushels of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about February 1, 1938, by William Schober from Monroeville, N. J., and charging adulteration in violation of the Food and Drugs Act.

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

On February 28, 1938, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28278. Adulteration of apples. U. S. v. 165 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 40975. Sample Nos. 71201-C, 71205-C, 71206-C.)**

This product was contaminated with lead.

On November 20, 1937, 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 165 bushels of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 22, 1937, by Walter Roberts from Moorestown, N. J., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "F. L. B. Farm, Camden, N. J."

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

On December 14, 1937, no claimant having appeared, judgment of condemnation was entered ordering the product destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*