

30067. Adulteration of American cheese. U. S. v. 8 Boxes, 19 Boxes, and 51 Boxes of Cheese. Consent decree of condemnation. Product released under bond to be reprocessed. (F. & D. Nos. 42953, 42954, 42955. Sample Nos. 21797-D, 21798-D, 21799-D.)

This product contained excessive moisture.

On June 18, 1938, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 78 boxes of cheese at Green Bay, Wis.; alleging that the article had been shipped in interstate commerce on or about May 20, 1938, by Indiana Dairy Marketing Association, of Muncie, Ind., from Indianapolis, Ind.; and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Shefford Cheese Green Bay Wis."

The article was alleged to be adulterated in that a substance which contained excessive moisture had been substituted wholly or in part for the article.

On November 29, 1938, the Shefford Cheese Co., Green Bay, Wis., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be processed and blended with low-moisture cheese so that the resulting product should contain not more than 40 percent of moisture.

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

30068. Adulteration of butter. U. S. v. Seven Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 43047. Sample Nos. 35319-D, 35322-D.)

This product contained less than 80 percent of milk fat.

On July 1, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven tubs of butter at Boston, Mass., consigned on or about June 8, 1938; alleging that the article had been shipped in interstate commerce by Beatrice Creamery Co. from Sioux Falls, S. Dak.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat.

On August 5, 1938, Beatrice Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

30069. Adulteration of apples. U. S. v. 28 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 43936. Sample No. 32786-D.)

This product was contaminated with arsenic and lead.

On August 29, 1938, 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 28 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 23, 1938, from Benton Harbor, Mich., by Miretsky & Joseph to themselves at Chicago; and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Henry Schaus & Son R-2 Watervliet, Mich."

It 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 18, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30070. Adulteration of unshelled almonds. U. S. v. 289 Bags of Almonds (and 13 other seizures of the same product). Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. Nos. 44293 to 44296, inclusive, 44315 to 44319, inclusive, 44321, 44349, 44366, 44368, 44383, 44384, 44436, 44437, 44454, 44455, 44553. Sample Nos. 26151-D to 26165-D, inclusive, 26172-D, 26173-D, 26178-D, 35837-D, 35840-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in part worm-infested and moldy.

H. J. BROWN, Jr.

Between November 7 and December 21, 1938, the United States attorneys for the Southern District of New York and the District of Rhode Island, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of a total of 1,100 bags and 188 cartons of almonds at New York, N. Y., and 38 bags of almonds at Providence, R. I.; alleging that they had been shipped within the period from September 1 to October 8, 1938, by California Almond Growers Exchange from Sacramento, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Golden State Brand," or "Fancy Blue Diamond Brand."

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

On December 30, 1938, and January 6, 1939, the Geo. Wm. Bentley Co., Providence, R. I., having filed a claim for the lots seized at Providence, R. I., and the California Almond Growers Exchange having filed a claim for the goods seized at New York, N. Y., and said claimants having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed or denatured.

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

30071. Adulteration of apples. U. S. v. 50 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 44373. Sample No. 32174-D.)

This product was contaminated with arsenic and lead.

On October 3, 1938, 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 50 bushels of apples at Naperville, Ill.; alleging that they had been shipped in interstate commerce from Sodus, Mich., on or about September 27, 1938, by Harry Sverdlin to himself at Naperville; 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 28, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30072. Adulteration of apples. U. S. v. 44 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 44337. Sample No. 45981-D.)

This product was contaminated with arsenic and lead.

On October 31, 1938, 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 44 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce from Coloma, Mich., on or about October 26, 1938, by Frank Rinnelli to himself at Chicago; 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 16, 1938, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

30073. Adulteration of fish. U. S. v. Six Boxes of Tullibeas. Default decree of condemnation and destruction. (F. & D. No. 44379. Sample No. 19705-D.)

This product was infested with parasitic worms.

On November 3, 1938, 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 six boxes of tullibeas at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about October 25, 1938, by M. C. French from Warroad, Minn.; and charging adulteration in violation of the Food and Drugs Act.

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