

Court of the United States for the district aforesaid a libel praying seizure and condemnation of 710 boxes of apples at Billings, Mont., alleging that the article had been shipped in interstate commerce on or about October 27, 1932, by the Northwestern Fruit Exchange, from Stratford, Wash., to Billings, Mont., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Delicious Wash. \* \* \* Grown by Stratford Orchards Co. Stratford, Wash."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient, arsenate of lead, in an amount which might have rendered the article injurious to health.

On January 10, 1933, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20507. Adulteration of cauliflower. U. S. v. 250 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction of 171 crates; 79 crates of the product released. (F. & D. no. 29260. Sample no. 7615-A.)**

This action involved the interstate shipment of a quantity of cauliflower, a portion of which bore arsenic in an amount which might have rendered the article injurious to health.

On October 17, 1932, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 250 crates of cauliflower, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about October 6, 1932, by Celery Vale Farms, from Denver, Colo., to Jacksonville, Fla., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, arsenic, which might have rendered the article injurious to health.

The consignor, the Celery Vale Farms, Denver, Colo., and the consignee, the Winn & Lovett Grocery Co., Inc., Jacksonville, Fla., entered an appearance and filed a claim for 79 crates of the product representing that the cauliflower in this lot had not been sprayed with arsenic, and consented to the destruction of the remainder. Examination of the said 79 crates having shown that they contained no arsenic, on October 26, 1932, judgment was entered ordering that they be released and that the remainder be condemned and destroyed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

**20508. Adulteration and misbranding of loganberry juice. U. S. v. Northwest, Inc., and Cuthbert M. Miall and Carl Huber, Officers of the Corporation. Pleas of guilty. Fine, \$2. (F. & D. no. 28134. I. S. no. 40028.)**

This action involved the interstate shipment of a product represented to be pure loganberry juice, which contained undeclared added water. The article also contained added sugar which was not clearly and conspicuously declared on the label, since the declaration appeared in a position and type not readily noticeable.

On December 15, 1932, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against Northwest, Inc., Salem, Oreg., and Cuthbert M. Miall and Carl Huber, officers of said corporation, alleging shipment by said defendants in violation of the Food and Drugs Act, on or about July 24, 1931, from the State of Oregon into the State of Illinois, of a quantity of loganberry juice that was adulterated and misbranded. The article was labeled in part: (Case) "Northwest Canning Company, Salem, Oregon, \* \* \* U. S. A. Phez Pure Juice of the Loganberry", (bottle) "Pressed from Luscious Oregon Loganberries \* \* \* Phez Pure Juice of the Loganberry, \* \* \* Northwest Fruit Products Co."

It was alleged in the information that the article was adulterated in that an added, undeclared substance, water, and an added declared substance, sugar, which was declared on the label in a manner not readily noticeable, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for pure juice of the loganberry, which the article purported to be.