

been shipped between January 20 and March 6, 1933; and that they were adulterated in violation of the Food and Drugs Act. The article was labeled, variously, in part: "Wenoka Brand Grown and Packed by Members of Wenatchee-Okanogan Cooperative Federation,"; "Wenoka Apples Monitor Federated Growers"; "Wenoka Brand Cashmere Fruit Growers Union Cashmere, Wash."; "Wenoka Apples Sunnyslope Fruit Exchange, Wenatchee."

It was alleged in the libels that the article was adulterated in that it contained added poisonous or deleterious ingredients, i.e., lead in certain of the shipments, and arsenic and lead in the remainder, which might have rendered the article injurious to health.

On March 22, 1933, Gwin, White & Prince, Inc., having appeared as claimant for the lot seized at Jersey City, N.J., and the claimant having consented to condemnation and forfeiture of the product, judgment was entered ordering the apples released under bond, conditioned that the deleterious ingredient, which consisted of a lead spray residue, be removed. A decree of condemnation and forfeiture was entered March 16, 1933, in the case instituted in the Western District of Missouri, and the product was ordered released under bond to the Cochrane Brokerage Co., Kansas City, Mo., the terms of the bond requiring that the apples be made to conform to the Federal Food and Drugs Act. On March 15, March 17, March 24, and May 2, 1933, decrees condemning the apples and ordering that they be destroyed were entered in the remaining cases.

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

20852. Adulteration of canned salmon. U. S. v. 40 Cases and 8 Cases of Canned Salmon. Default decrees of condemnation and destruction. (F. & D. nos. 29966, 30005. Sample nos. 23034-A, 29251-A.)

These cases involved interstate shipments of canned salmon that was in part decomposed.

On March 20 and 29, 1933, the United States attorneys for the Northern District of California and the District of Arizona, acting upon reports by the Secretary of Agriculture, filed libels praying seizure and condemnation of 40 cases of canned salmon at San Francisco, Calif., and 8 cases of the product at Phoenix, Ariz. It was alleged in the libels that the article had been shipped in interstate commerce by Libby, McNeill & Libby, the former from Seattle, Wash., to San Francisco, Calif., on or about September 9, 1932, and the latter from Los Angeles, Calif., to Phoenix, Ariz., on or about September 22, 1932, and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Libby's Fancy Red Alaska Salmon."

The libels charged that the article was adulterated in that it consisted in part of a decomposed animal substance.

On April 11 and April 24, 1933, no claimant having appeared in either case, judgments of condemnation were 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.*

20853. Adulteration of tomato puree. U. S. v. 36 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29993. Sample no. 34633-A.)

This case involved an interstate shipment of tomato puree that contained excessive mold.

On March 25, 1933, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 36 cases of tomato puree at Buffalo, N.Y., alleging that the article had been shipped in interstate commerce, December 28, 1932, by the North East Preserving Works, Inc., from North East, Pa., to Buffalo, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sunlight Brand Tomato Puree * * * Packed by North East Preserving Works, Inc., North East, Pa."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On April 7, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture 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.*