

**23148. Adulteration of cauliflower. U. S. v. 106 Crates of Cauliflower. Default decree of condemnation and destruction. (F. & D. no. 34095. Sample no. 17821-B.)**

This case involved a shipment of cauliflower which was found to contain arsenic.

On October 3, 1934, 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 106 crates of cauliflower at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 2, 1934, by Alex. Slivonik, from Hamilton Square, N. J., 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 it harmful to health.

On October 23, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23149. Misbranding of alfalfa molasses feed. U. S. v. 400 Bags of Alfalfa Molasses Feed. Decree of condemnation and forfeiture. Product released under bond to be properly labeled. (F. & D. no. 34096. Sample no. 8155-B.)**

This case involved a shipment of feed which was not labeled with a plain and conspicuous statement showing the quantity of the contents.

On or about September 12, 1934, the United States attorney for the District of Kansas, acting upon a report by the Kansas State Board of Agriculture, filed in the district court a libel praying seizure and condemnation of 400 bags of alfalfa molasses feed at Clay Center, Kans., alleging that the article had been shipped in interstate commerce, on or about August 31, 1934, by the Gee Bee Mills Co., from So. St. Joseph Mo., and charging misbranding in violation of the Food and Drugs Act as amended.

The article was alleged to be misbranded in that the bags bore no mark, brand, or label showing the net weight.

On September 14, 1934, the product was ordered delivered to the claimant the Gee Bee Mills Co., under a bond conditioned that it be labeled "100 net", and that each bag contain 100 pounds net. On November 5, 1934, judgment of condemnation and forfeiture was entered and the bond was ordered exonerated upon payment of costs, the conditions having been fully complied with.

M. L. WILSON, *Acting Secretary of Agriculture.*

**23150. Adulteration of apples. U. S. v. 95 Bushels of Apples. Consent decree of condemnation and forfeiture. Product released under bond conditioned that deleterious ingredients be removed. (F. & D. no. 34130. Sample no. 19192-B.)**

Examination of the apples involved in this case showed the presence of arsenic and lead.

On or about September 29, 1934, 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 95 bushels of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 1, 1934, by J. M. Benson, from Benton Harbor, 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 and deleterious ingredients, arsenic and lead, in amounts which might have rendered it injurious to health.

On October 11, 1934, the Louis Cohen Co., Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered that the apples be released under bond conditioned that they be wiped or washed to remove the deleterious substances.

M. L. WILSON, *Acting Secretary of Agriculture.*