

On October 4, 1935, 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 14 bushels of crab apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 27, 1935, by Tony Megna, from Coloma, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grown and packed by A C Hussey Coloma Mich."

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 December 2, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25939. Adulteration of cream. U. S. v. Two 10-Gallon Cans and One 5-Gallon Can of Cream. Consent decree of destruction. (F. & D. no. 37251. Sample no. 60597-B.)**

This case involved cream which was found to be filthy and in various stages of decomposition.

On January 8, 1936, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two 10-gallon cans and one 5-gallon can of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce, in part on or about January 4, 1936, and in part on or about January 5, 1936, in various shipments by C. E. Smith, Oconto, Nebr.; W. J. Baller, Merna, Nebr.; and N. B. Spencer, Morrill, Nebr., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was cheesy, yeasty, moldy, rancid, filthy, putrid, and decomposed.

On January 8, 1936, the Gold Coin Creamery Co., Denver, Colo., the consignee, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered ordering that the product be destroyed immediately.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25940. Adulteration of cream. U. S. v. Two 5-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. & D. no. 37252. Sample no. 60708-B.)**

This case involved cream which was found to be filthy and in various stages of decomposition.

On January 8, 1936, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two 5-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about January 5, 1936, by W. Steadman, Throckmorton, Tex., and A. C. Hubbard, Olney, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was cheesy, yeasty, moldy, rancid, filthy, putrid, and decomposed.

On January 8, 1936, the Farmers & Merchants Creamery Co., Denver, Colo., the consignee, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered ordering that the product be destroyed immediately.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25941. Misbranding and alleged adulteration of potatoes. U. S. v. 412 Bags of Potatoes. Default decree of condemnation and sale. (F. & D. no. 37259. Sample no. 44164-B.)**

This case involved a shipment of potatoes that were below the grade declared on the label.

On February 28, 1936, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 412 bags of potatoes at Newport, R. I., alleging that the article had been shipped in interstate commerce on or about February 13, 1936, by Chapin Bros., from Charlestown, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "U. S. Grade No. 1 Maine Potatoes Wheel Brand American Fruit Growers Washburn, Maine."