

merce on or about September 24, 1936, and that it was in possession of Paul Herring, Kansas City, Mo., 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 injurious to health.

On October 2, 1936, Paul Herring, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of forfeiture was entered and it was ordered that the apples be delivered to some charitable institution on condition that they be peeled before being used.

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

**26463. Adulteration of butter. U. S. v. 65 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked.** (F. & D. no. 38395. Sample no. 14102-C.)

This case involved butter that was deficient in milk fat.

On September 21, 1936, 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 65 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 1, 1936, by the Salt City Creamery Co., from Oklahoma City, Okla., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing 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, as provided by the act of March 4, 1923.

On October 26, 1936, Charles F. Dauber and Rudolph C. Dauber, trading as Dauber Bros., at Chicago, Ill., claimants, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be reworked under the supervision of this Department.

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

**26464. Adulteration of tomato puree. U. S. v. 46 Cases of Canned Tomato Puree. Default decree of condemnation and destruction.** (F. & D. no. 38399. Sample no. 12495-C.)

This case involved tomato puree that contained excessive mold.

On October 6, 1936, the United States attorney for the Eastern District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 46 cases of canned tomato puree at Newport, Ky., shipped on or about September 14, 1936, by the Sheridan Packing Co., alleging that the article had been shipped in interstate commerce from Sheridan, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sheridan Brand Tomato Puree. \* \* \* Packed by Sheridan Packing Company, Sheridan, Indiana."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On November 5, 1936, no claimant have appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**26465. Adulteration of apples. U. S. v. 54 and 42 Bushel Baskets of Apples. Default decree of condemnation and forfeiture. Product delivered to a charitable institution.** (F. & D. no. 38401. Sample nos. 21432-C, 21433-C.)

This case involved apples that were contaminated with arsenic and lead.

On September 30, 1936, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 96 bushels of apples at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about September 4 and September 8, 1936, by Langer Bros., from Kamps-ville, Ill., 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 October 28, 1936, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the product be delivered

to a charitable organization, and that said organization peel and core the apples and destroy the peelings so that they would be fit for consumption.

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

**26466. Adulteration and misbranding of butter. U. S. v. 9 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 38404. Sample no. 13659-C.)**

This case involved butter that was deficient in milk fat.

On October 1, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about September 10, 1936, by the De Luxe Foods Corporation from Senatobia, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Parchment wrapper) "Butter \* \* \* De Luxe Foods Corporation New Orleans, La."

The article was alleged to be adulterated in that a product containing 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, as provided by the act of March 4, 1923.

The article was alleged to be misbranded in that it was labeled "butter", which was false and misleading since it contained less than 80 percent by weight of milk fat.

On November 27, 1936, 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.*

**26467. Adulteration of canned salmon. U. S. v. 1,814 Cartons of Canned Salmon. Consent decree of condemnation. Product ordered released under bond. (F. & D. no. 38407. Sample nos. 22240-C, 22245-C.)**

This case involved salmon that was in part decomposed.

On October 9, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,814 cartons of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce by the Ocean Packing Co., on or about September 11, 1936, from Klawock, Alaska, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On October 13, 1936, the Ocean Packing Co., having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it not be sold or disposed of in violation of the Food and Drugs Act.

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

**26468. Adulteration of apples. U. S. v. 516 Bushels of Apples. Decree of condemnation. Product ordered released under bond. (F. & D. no. 38428. Sample no. 4644-C.)**

This case involved an interstate shipment of apples that were contaminated with lead and arsenic.

On October 3, 1936, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 516 bushels of Jonathan apples at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about September 18, 1936, by the F. H. Simpson Co., from Fall Creek, Ill., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained poisonous and deleterious ingredients, lead and arsenic, which might have rendered it harmful to health.

On October 15, 1936, the Mallin Produce Co., Kansas City, Mo., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that the fruit be washed.

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