

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

On January 7, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$11 and costs.

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

26850. Adulteration of huckleberries. Default decree of condemnation and destruction. (F. & D. no. 38093. Sample no. 9451-C.)

This case involved huckleberries that were infested with maggots.

On July 20, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven crates of huckleberries at New York, N. Y., alleging that they had been shipped in interstate commerce on or about July 19, 1936, by T. W. Cummings from St. Clair, Pa., 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 filthy, decomposed, or putrid vegetable substance.

On September 24, 1936, no claimant appearing, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26851. Adulteration of apples. U. S. v. 14 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 38249. Sample no. 14741-C.)

These apples were contaminated with arsenic and lead.

On August 18, 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 14 bushels of apples at Chicago, Ill., alleging that they had been shipped in interstate commerce on or about August 12, 1936, by Nemitz Bros., from Bridgman, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "J. L. Willmeng R-2 Watervliet, Mich. Duchess."

It 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, 1936, 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.*

26852. Adulteration of canned shrimp. U. S. v. 14 Cases and 4 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 38278. Sample nos. 13627-C, 13628-C.)

This article was in part decomposed.

On or about October 7, 1936, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 cases of canned shrimp at Centerville, Miss., alleging that the article had been shipped in interstate commerce on or about September 1, 1936, by the Fraering Brokerage Co., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Mo-Bil-Bay Brand Fancy Selected Shrimp * * * Distributed by Dubon Company, Inc., New Orleans, La."

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

On November 26, 1936, 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.*

26853. Adulteration of canned salmon. U. S. v. Walter Waters and Archie F. McMillan (Lighthouse Packing Co.). Pleas of guilty. Fines, \$24 and costs. (F. & D. no. 38004. Sample nos. 34772-B, 61740-B, 62284-B.)

This case involved canned salmon that was in part decomposed.

On December 16, 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 an information against Walter Waters and Archie F. McMillan, copartners, trading as the Lighthouse Packing Co., Point Roberts, Wash., alleg-

ing shipment by said defendants through and in the name of their broker and agent, on or about November 16 and December 12, 1935, from the State of Washington into the States of Texas, Pennsylvania, and California of quantities of canned salmon that was adulterated in violation of the Food and Drugs Act. It was labeled in part: (Can) "Pink Referee Salmon * * * Distributed by Dehn & Co. Inc. Seattle, Wash."

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

On December 29, 1936, the defendants entered pleas of guilty and the court imposed fines in the total amount of \$24 together with costs.

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

26854. Adulteration and misbranding of butter. U. S. v. 26 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 38304. Sample no. 6855-C.)

This product contained less than 80 percent by weight of milk fat.

On August 31, 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 26 cases of butter at New Orleans, La., alleging that it had been shipped in interstate commerce on or about August 17, 1936, by Swift & Co., from Paris, Tex., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "American Beauty Creamery Butter L. Frank & Co., Inc., New Orleans, La."

It 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 of milk fat as provided by the act of Congress of March 4, 1923.

The article was alleged to be misbranded in that the statement "butter", borne on the label, was false and misleading since it contained less than 80 percent of milk fat.

On January 15, 1937, 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.*

26855. Adulteration of canned shrimp. U. S. v. 60 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 38342. Sample no. 13539-C.)

This product was in part decomposed.

On September 25, 1936, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 cases of canned shrimp at Dallas, Tex., alleging that it had been shipped in interstate commerce on or about September 14, 1936, by the Foreign Products Corporation from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Doll Baby Brand Dry Packed Shrimp * * * L. C. Mays Co., Inc., Distributors, New Orleans, Louisiana."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed animal substance.

On January 12, 1937, 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.*

26856. Adulteration of apple butter. U. S. v. 85 Cartons of Apple Butter. Default decree of condemnation and destruction. (F. & D. no. 38346. Sample no. 21831-C.)

This product was insect-infested and decomposed.

On September 25, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 85 cartons of apple butter at Portland, Oreg., alleging that it had been shipped in interstate commerce on or about May 16, 1936, by the California Preserving Co., from Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Catalina Brand Pure Apple Butter * * * California Preserving Company, Los Angeles, Calif."