

tomato puree at Murphysboro, Ill., alleging that it had been shipped in interstate commerce on or about November 5 and November 21, 1936, by the Nagle Packing Co., Inc., from Paducah, Ky., and charging adulteration in violation of the Foods and Drugs Act. The article was labeled in part: "Nagle Packing Co. * * * Tomato Puree * * * Packed by Nagle Packing Co. Incorporated Paducah, Ky."

It was alleged to be adulterated in that it contained mold.

On January 26, 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.*

26910. Adulteration of apples. U. S. v. 139 Boxes of Apples. Consent decree entered. Product ordered released under bond. (F. & D. no. 38889. Sample nos. 10377-C, 10378-C.)

This product was contaminated with arsenic and lead.

On December 9, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 139 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about December 3, 1936, by the Jewell Produce Co., from Scappoose, Oreg., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Delicious L. Koutek Scappoose, Ore."

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

On December 10, 1936, Julius J. Helfend, claimant, having consented to condemnation of the product and having admitted the allegations of the libel, judgment was entered ordering that the apples be released under bond, conditioned that they should not be sold or otherwise disposed of in violation of the Federal Food and Drugs Act and all other laws.

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

26911. Adulteration of apples. U. S. v. 284 Boxes of Apples. Product ordered released under bond. (F. & D. no. 38890. Sample no. 10379-C.)

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

On December 9, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 284 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about October 20, 1936, by the Frank B. Arata Fruit Co., from Wood, Idaho, and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Jonathan Grown by R. H. Shurtleff Payette Idaho."

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 December 21, 1936, Charles Milne, Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond, conditioned that it should not be disposed of in violation of the Federal Food and Drugs Act and all other laws.

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

26912. Adulteration of butter. U. S. v. 27 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. no. 38892. Sample no. 14578-C.)

This butter contained less than 80 percent of milk fat.

On December 11, 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 27 tubs of butter at Chicago, Ill., alleging that it had been shipped in interstate commerce on or about August 27, 1936, by the Fort Atkinson Creamery Co., from Fort Atkinson, Iowa, 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 of milk fat, as provided by the act of Congress of March 4, 1923.