

district court a libel praying seizure and condemnation of 19 crates of apples at South Bend, Ind., alleging that the article had been shipped in interstate commerce on or about September 28, 1937, by Tommy Mason from Bainbridge, 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 or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 24, 1937, Tommy Mason (City Limits Fruit Market), South Bend, Ind., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and destruction was entered with the provision that if the claimant remove the poisonous and deleterious ingredients, the apples might be returned to him.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28249. Adulteration of apples. U. S. v. 50 Bushels of Apples. Default decree of condemnation and destruction.** (F. & D. No. 40394. Sample No. 56460-C.)

This product was contaminated with arsenic and lead.

On or about September 16, 1937, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 bushels of apples at Aubrey, Tex., alleging that the article had been shipped in interstate commerce on or about September 7, 1937, from Rogers, Ark., by Lloyd Justus to himself at Aubrey, Tex., 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, which might have rendered it harmful to health.

On October 26, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28250. Adulteration of apples. U. S. v. 24 Baskets of Apples (and 3 other seizure actions against the same product). Default decrees of condemnation and destruction.** (F. & D. Nos. 40406, 40453, 40454, 40489. Sample Nos. 37392-C, 37397-C, 37398-C, 38600-C, 62617-C.)

This product was contaminated with lead.

On September 23 and 25 and October 4, 1937, the United States attorneys for the Eastern and Southern Districts of New York, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 38 baskets of apples at New York, N. Y., and 28 baskets of apples at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce on or about September 21, 23, and 29, 1937, by Charles Wilmerton from Beverly, N. J., and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously: "A. L. Richie & Son, Sunny Slope Farm Riverton, N. J."; "P. H. Burk Buttonwood Farm Beverly N. J."; "From J. W. Heal Beverly N. J."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On October 11, 26, and 28, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28251. Adulteration of flour. U. S. v. 152 Bags (and 4 other seizures) of Flour. Decree of condemnation. Product released under bond for sale for purposes other than human consumption.** (F. & D. Nos. 40568, 40569, 40570, 40571, 40704, 40705, 40706. Sample Nos. 62646-C to 62649-C, incl., 65410-C, 65411-C, 65414-C, 65420-C.)

Samples of this product were found to be insect-infested.

On October 25 and November 10, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court five libels, two of which were amended on November 12, 1937, praying seizure and condemnation of 1,128 bags of flour at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce in various lots on or about April 15 and 17, June 10 and 23, and July 4 and 22, 1937, from Minneapolis, Minn., by the Pillsbury Flour Mills Co., and charging adulteration in violation of the Food and Drugs Act. The article was

labeled variously: "Ricco Durum Granular Flour"; "Verona Durum Wheat Product"; "Pillsbury's Semolina No. 3"; "Poleeto Patent Flour." Portions were labeled further: "From Pillsbury Flour Mills Company \* \* \* Minneapolis, Minn."

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

On December 21, 1937, Philadelphia Macaroni Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be sold for purposes other than human consumption.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28252. Adulteration of Brazil nuts. U. S. v. 15 Bags of Brazil Nuts. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion.** (F. & D. No. 40918. Sample Nos. 9521-C, 9522-C.)

This product was in part moldy and decomposed.

On November 26, 1937, 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 15 bags of Brazil nuts at New York, N. Y., alleging that the article had been entered at the Port of New York, on or about March 25, 1937, 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 and putrid vegetable substance.

On December 10, 1937, Wm. A. Camp Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28253. Adulteration of cauliflower. U. S. v. 38 Crates of Fresh Cauliflower. Default decree of condemnation and destruction.** (F. & D. No. 40983. Sample No. 63440-C.)

This product was contaminated with arsenate of lead.

On November 16, 1937, 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 38 crates of cauliflower at Seattle, Wash., consigned by C. Taketa, alleging that the article had been shipped in interstate commerce on or about November 11, 1937, from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Portland Rose Snowball Brand Cauliflower C. Taketa Distributor—Portland, Oregon."

It was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, arsenate of lead, which rendered it injurious to health.

On December 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28254. Adulteration of flour. U. S. v. 1,421 Bags of Flour. Decree of condemnation. Product released under bond for sale for purposes other than human consumption.** (F. & D. Nos. 40697 to 40703, incl. Sample Nos. 65408-C, 65409-C, 65413-C to 65419-C, incl.)

This product was infested with insects.

On November 10, 1937, 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 1,421 bags of flour at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce in various lots on March 24, April 24, May 26, and June 18, 1937, from Minneapolis, and Rush City, Minn., by the Amber Milling Co., of Minneapolis, Minn., and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously: "Dura No. 3 Semolina"; "Amber Zephyr"; "Amber Special Granular." Portions were labeled further: "Amber Milling Co."

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