

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the Food and Drugs Act]

28376-28525

[Approved by the Acting Secretary of Agriculture, Washington, D. C., June 13, 1938]

**28376. Adulteration of apples. U. S. v. 75 Boxes of Apples. Default decree of condemnation and destruction.** (F. & D. No. 41509. Sample no. 45319-C.)

This product was contaminated with arsenic and lead.

On December 30, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 75 boxes of apples at Crescent City, Calif., alleging that the article had been shipped in interstate commerce on or about December 14, 1937, by George Seebach from Grants Pass, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Rio Lado Ranch R #2 Grants Pass, Oregon."

It was alleged to be adulterated in that it contained added poisonous or deleterious substances, arsenic and lead, which might have rendered it injurious to health.

On January 19, 1938, no claimant having appeared, the product was condemned and ordered destroyed.

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

**28377. Adulteration of apples. U. S. v. 137 Boxes of Apples. Consent decree of condemnation. Product released under bond.** (F. & D. No. 41361. Sample No. 51869-C.)

This product was contaminated with arsenic and lead.

On December 15, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 137 boxes of apples at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about December 9, 1937, by the United Brokers Co., from Portland, Oreg., 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, lead and arsenic, which might have rendered it injurious to health.

On December 17, 1937, Jacobs, Malcolm & Burt, San Francisco, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the court ordered the product released under bond, conditioned that it be made to comply with the Federal Food and Drugs Act under the supervision of this Department.

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

**28378. Adulteration of apples. U. S. v. 140 Boxes of Apples. Default decree of condemnation and destruction.** (F. & D. No. 41360. Sample No. 45296-C.)

This product was contaminated with arsenic and lead.

On December 17, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 140 boxes of apples at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about December 1, 1937, by the Oroville Canning Co. from Oroville, Wash., 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 substances, arsenic and lead, which might have rendered it injurious to health.

On January 6, 1938, no claimant having appeared, the product was condemned and ordered destroyed.

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