

- 29803. Adulteration of canned clams. U. S. v. William Palmer Hart and Frank N. Brown (Brown & Hart Packing Co.). Pleas of guilty. Fines, \$100.** (F. & D. No. 42553. Sample Nos. 964-D, 14080-D, 14118-D, 14119-D, 14133-D.)

This product was in part decomposed.

On October 14, 1938, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William Palmer Hart and Frank N. Brown, trading as Brown & Hart Packing Co., Millbridge, Maine, alleging shipment by said defendants in violation of the Food and Drugs Act in the period from on or about October 29, 1937 to on or about December 16, 1937, from the State of Maine into the States of Rhode Island, Massachusetts, and New Hampshire, of quantities of canned clams which were adulterated. The article was labeled in part: "B. & H. Brand * * * Fancy Clams"

Adulteration was alleged in that the article consisted in part of a decomposed substance, namely, partly decomposed clams.

On November 1, 1938, the defendants entered pleas of guilty and the court imposed a fine of \$50 against each.

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

- 29804. Adulteration of butter. U. S. v. 18 Cubes of Butter. Consent decree of condemnation. Product released under bond.** (F. & D. No. 43046. Sample No. 18284-D.)

This product was deficient in milk fat.

On June 25, 1938, 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 18 cubes of butter at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about June 16, 1938, by Swift & Co. from Coquille, Oreg.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product which contained 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 act of March 4, 1923.

On August 25, 1938, Swift & Co., 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 it be brought up to the legal standard under the supervision of this Department.

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

- 29805. Adulteration of apples. U. S. v. 11 Bushels of Apples. Consent decree of condemnation and destruction.** (F. & D. No. 43502. Sample No. 32703-D.)

This product was contaminated with arsenic and lead.

On August 6, 1938, 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 11 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 2, 1938, by E. A. Fichtner from Coloma, 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 August 18, 1938, the claimant having consented, judgment of condemnation was entered and the product was ordered destroyed.

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

- 29806. Adulteration of apples. U. S. v. 24 Bushels of Apples. Consent decree of condemnation and destruction.** (F. & D. No. 43814. Sample No. 32759-D.)

This product was contaminated with arsenic and lead.

On August 22, 1938, 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 24 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 17, 1938, by A. F. Dass from St. Joseph, Mich.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "L. J. Grieser * * * Benton Harbor, Mich."