

about October 22, 1939, by Sam Severtson, from Washington Harbor, Isle Royale, Mich.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On December 27, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

231. Adulteration of tullibeas. U. S. v. 2 Boxes of Tullibeas. Consent decree of condemnation and destruction. (F. D. C. No. 748. Sample No. 46815-D.)

On October 16, 1939, the United States attorney for the Northern District of Illinois filed a libel against two boxes of tullibeas at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 10, 1939, by Wilfred Saurdiff from Warroad, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On November 3, 1939, the claimant having consented, judgment of condemnation was entered and the product was ordered destroyed.

232. Adulteration of tullibeas. U. S. v. 124 Boxes and 41 Boxes of Tullibeas. Consent decrees of condemnation. Product ordered released under bond to be denatured and relabeled. (F. D. C. Nos. 317, 318. Sample Nos. 48398-D, 48399-D.)

On July 28, 1939, the United States attorney for the District of Minnesota filed libels against 165 boxes of tullibeas at Minneapolis, Minn., alleging that the article had been shipped on or about July 21 and August 2, 1938, by Keystone Fisheries, Ltd., from Winnipeg, Manitoba, Canada; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance.

On October 24, 1939, the Minnesota Refrigerating Co., Minneapolis, Minn., claimant, having admitted the allegations of the libels, judgments of condemnation were entered ordering release of the product under bond, conditioned that it be relabeled and denatured so that it could not be used for human food.

233. Adulteration of tullibeas. U. S. v. 6 Boxes of Tullibeas. Default decree of condemnation and destruction. (F. D. C. No. 302. Sample No. 55269-D.)

On July 19, 1939, the United States attorney for the Northern District of Illinois filed a libel against six boxes of tullibeas at Chicago, Ill., alleging that the article had been shipped in interstate commerce by R. Brewster from Warroad, Minn., on or about July 12, 1939; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On September 7, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

234. Misbranding of fresh oysters. U. S. v. 4 Barrels and 3 Barrels of Fresh Oysters. Default decree of condemnation and destruction. (F. D. C. No. 1061. Sample Nos. 76877-D, 76878-D.)

This product was short of the declared volume.

On November 22, 1939, the United States attorney for the Western District of Pennsylvania filed a libel against 7 barrels, containing 920 pint cans of oysters, at Altoona, Pa., alleging that the article had been shipped in interstate commerce on or about November 18, 1939, by Carol Dryden & Co. from Crisfield, Md.; and charging that it was misbranded.

It was alleged to be misbranded in that the label statement "One Pint Net" was false and misleading when applied to an article that was short volume; and in that it was in package form and its label did not bear an accurate statement of the quantity of contents.

On December 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

235. Adulteration of fresh oysters. U. S. v. 140 Pint Cans of Fresh Oysters. Default decree of condemnation and destruction. (F. D. C. No. 1068. Sample No. 78882-D.)

This product contained added water.

On November 22, 1939, the United States attorney for the Western District of Pennsylvania filed a libel against 140 pint cans of fresh oysters at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about November 18 and 20, 1939, by W. E. Riggin & Co. from Crisfield, Md.; and charging that it was adulterated.

It was alleged to be adulterated in that a substance, water, had been substituted wholly or in part therefor and had been added thereto or mixed or packed therewith so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On December 1, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

236. Adulteration of canned oysters. U. S. v. 100 Cases of Canned Oysters. Default decree of condemnation and destruction. (F. D. C. No. 301. Sample No. 43955-D.)

Examination of this product showed the presence of decomposed oysters. It also contained shell fragments which were sharp and capable of inflicting injury in the mouth and many of which were small enough to be swallowed and lodge in the esophagus.

On July 27, 1939, the United States attorney for the Northern District of California filed a libel against 100 cases of canned oysters at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 16, 1939, by Yamate Bros. from New Orleans, La.; and charging that it was adulterated.

Adulteration was alleged in that the article contained a deleterious substance, oyster shell fragments, which might have rendered it injurious to health; in that it consisted wholly or in part of a decomposed substance; and in that a substance, oyster shell fragments, had been substituted wholly or in part for the article and had been mixed and packed therewith so as to reduce its quality.

On November 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

237. Adulteration of canned oysters. U. S. v. 91 Quart Cans of Oysters. Default decree of condemnation and destruction. (F. D. C. No. 1066. Sample No. 70265-D.)

Examination showed that this product contained added water.

On November 24, 1939, the United States attorney for the Middle District of Pennsylvania filed a libel against 91 quart cans of oysters at York, Pa., alleging that the article had been shipped in interstate commerce on or about November 20, 1939, by the Union Fish Co. from Baltimore, Md.; and charging that it was adulterated.

The article was alleged to be adulterated in that a substance, water, had been substituted in part therefor; and in that water had been added to or mixed and packed with it so as to increase its bulk or weight, reduce its quality or strength, or make it appear better or of greater value than it was.

On January 8, 1940, no claimant having appeared, judgment of condemnation and destruction was entered.

FRUITS AND VEGETABLES

FRESH FRUITS AND VEGETABLES

Nos. 238 to 273 of this publication report the seizure and disposition of fruit and vegetables which bore spray residue containing arsenic or lead or both arsenic and lead.

238. Adulteration of apples. U. S. v. 192 Baskets of Apples. Default decree of condemnation and destruction. (F. D. C. No. 787. Sample No. 61115-D.)

On or about September 28, 1939, the United States attorney for the Southern District of Mississippi filed a libel against 192 baskets of apples at Jackson, Miss., alleging that the article had been shipped in interstate commerce on or about August 26, 1939, by Brogden & Hazel from Springdale, Ark.; and charging that it was adulterated in that it bore lead arsenate, a poisonous or deleterious substance, which might have rendered it injurious to health.

On November 7, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

239. Adulteration of apples. U. S. v. 76 Baskets of Apples. Consent decree of condemnation and destruction. (F. D. C. No. 682. Sample No. 65996-D.)

On September 29, 1939, the United States attorney for the Northern District of Alabama filed a libel against 76 bushels of apples at Birmingham, Ala., alleging that the article had been transported in interstate commerce on or about September 27, 1939, by Polk Bros. from Menlo, Ga.; and charging adulteration in that the article contained an added poisonous or deleterious substance, lead, which might have rendered it injurious to health.

On November 7, 1939, the owner having consented, judgment of condemnation was entered and the product was ordered destroyed.