

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid animal substance, in that it consisted in part of a portion of an animal unfit for food, and in that it was the product of a diseased animal.

On June 8, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18609. Adulteration of celery. U. S. v. 180 Crates of Celery. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 26518. I. S. No. 25209. S. No. 4829.)

Arsenic having been found on samples of celery from the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On or about June 23, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 180 crates of celery at Chicago, Ill., alleging that the article had been shipped by the Randolph Marketing Co., from Fairport, Calif., June 6, 1931, and had been transported from the State of California into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Randolph Marketing Co., Los Angeles, Cal."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous and deleterious ingredient, to wit, arsenic, in an amount which might have rendered it injurious to health.

On June 25, 1931, the Randolph Marketing Co., Los Angeles, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant to be rewashed under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18610. Adulteration of canned shrimp. U. S. v. 19½ Cases of Shrimp in Glass. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26319. I. S. No. 11846. S. No. 4619.)

Samples of canned shrimp from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On May 5, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 19½ cases of canned shrimp, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Pelican Lake Oyster & Packing Co., Houma, La., on or about November 27, 1930, and had been transported from the State of Louisiana into the State of California, and charging adulteration in violation of the food and drugs act. The article was contained in glass jars labeled in part: "Iris Brand Fancy Ex. Large Shrimp * * * Haas Baruch & Co., Distributors Los Angeles, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On June 20, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18611. Adulteration and misbranding of lima beans. U. S. v. 62 Bags of Lima Beans. Product ordered released under bond to be re-labeled. (F. & D. No. 26340. I. S. No. 16192. S. No. 4657.)

Examination of a product, labeled "Lima Beans," from the shipments herein described having shown that the article consisted of beans other than lima beans, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On May 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 62 bags of lima beans, remaining in the original unbroken packages

at Baltimore, Md., alleging that the article had been shipped by the E. W. Mills Co., from Philadelphia, Pa., in part on or about February 24, 1931, and in part on or about March 9, 1931, and had been transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Tally-Ho Domestic Lima Beans."

It was alleged in the libel that the article was adulterated in that beans other than lima beans had been substituted wholly for lima beans, which the article purported to be.

Misbranding was alleged for the reason that the statement on the label, "Domestic Lima Beans," was false and misleading and deceived and misled the purchaser; and for the further reason that the article was offered for sale under the distinctive name of another article.

On June 5, 1931, Max Lazarus & Sons (Inc.), Baltimore, Md., having appeared as claimant for the property, a decree was entered ordering that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$700, conditioned in part that it be relabeled "Butternut Beans."

ARTHUR M. HYDE, *Secretary of Agriculture.*

18612. Adulteration of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 26746. I. S. No. 4640. S. No. 4755.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 25, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Eggers Creamery, Plain View, Minn., on or about May 19, 1931, and had been transported from the State of Minnesota into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent of milk fat as provided by law.

Thomas G. Corcoran, agent for Hunter, Walton & Co., New York, N. Y., interposed a claim for the product and admitted the allegations of the libel, consented to the entry of a decree, and agreed that the product be reconditioned so that it contain at least 80 per cent of butterfat. On May 29, 1931, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that it be reworked so that it comply with the law, and that it should not be disposed of until examined and approved by this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18613. Adulteration of butter. U. S. v. 24 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond.
(F. & D. No. 26747. I. S. No. 4639. S. No. 4756.)

Samples of butter from the shipment herein described having been found to contain less than 80 per cent of milk fat, the standard provided by act of Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On May 25, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the H. C. Christians Co., Chicago, Ill., on or about May 18, 1931, and had been transported from the State of Illinois into the State of New York, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent of milk fat as provided by law.