

fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of fiber, whereas the article contained less than 41 per cent of protein and more than 10 per cent of fiber.

On October 24, 1931, a plea of *nolo contendere* to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture*.

18922. Adulteration of herring. U. S. v. 1 Box of Herring. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26726. I. S. No. 35680. S. No. 4878.)

Samples of herring from the shipment herein described having been found to contain worms, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On June 30, 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 one box of herring at Chicago, Ill., alleging that the article had been shipped by the Flieth Ehlers Mercantile Co., from Cornucopia, Wis., on or about June 19, 1931, and had been transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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. Adulteration was alleged for the further reason that the article consisted of a portion of an animal unfit for food.

On October 12, 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*.

18923. Adulteration of shell eggs. U. S. v. 32 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27158. I. S. No. 9898. S. No. 5125.)

Inedible eggs, consisting of black rots, mixed rots, moldy eggs, spot rots, and blood rings, having been found in the shipment herein described, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On August 12, 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 32 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Farmers Produce Co., from Lennox, S. Dak., on or about July 24, 1931, and had been transported from the State of South Dakota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

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.

On October 12, 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*.

18924. Adulteration of apples. U. S. v. 516 Bushels of Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 27013. I. S. Nos. 40371, 44851. S. No. 5220.)

Lead arsenate, the residue of an arsenical spray, having been found on samples of apples taken 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 September 30, 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 516 bushels of apples at Chicago, Ill., alleging that the article had been shipped by the American Fruit Growers (Inc.), from Cobden, Ill., to Milwaukee, Wis., and had been reshipped by the consignee from Milwaukee, Wis., to Chicago, Ill., on or about September 22, 1931, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, lead arsenate.

On October 5, 1931, the American Fruit Growers (Inc.), Chicago, Ill., 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 for the removal, by the claimant, of the arsenical spray residue, 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 the provisions of the Federal food and drugs act, or the laws of any State, Territory, district, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18925. Adulteration of canned prunes. U. S. v. 95 Cases of Canned Prunes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25939. I. S. No. 14623. S. No. 4178.)

Samples of canned prunes 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 Northern District of Illinois.

On February 24, 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 95 cases of canned prunes at Chicago, Ill., alleging that the article had been shipped by the Eugene Fruit Growers Association, from Eugene, Oreg., on or about December 17, 1930, and had been transported from the State of Oregon into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Blossom Brand Prunes Plums * * * Durand McNeil Horner Co. Distributors, Chicago."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On August 26, 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.*