

praying seizure and condemnation of 36 cubes of butter, remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped by the Farmers Cooperative Producers Association, in part on or about February 10, 1932, from Arco, Idaho, and in part on or about February 29, 1932, from Mackay, Idaho, and had been transported from the State of Idaho into the State of California, and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that a product containing less than 80 per cent of milk fat had been substituted wholly or in part for butter.

On March 21, 1932, the Lucerne Cream & Butter Co., Los Angeles, Calif., having filed claims and answers admitting the allegations of the libels, and having executed bonds totaling \$650, conditioned in part that the product be reworked under the supervision of this department, decrees were entered ordering that the product be released to the said claimant for reconditioning. On April 11, 1932, the conditions of the bonds having been complied with, the court ordered that the release be made permanent and the bonds exonerated.

HENRY A. WALLACE, *Secretary of Agriculture.*

19770. Adulteration of butter. U. S. v. 15 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (No. 1330-A. F. & D. No. 28292.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 per cent by weight of milk fat, the standard for butter prescribed by Congress.

On April 23, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 15 cubes of butter, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about April 18, 1932, by the Borden Western Co. (Inc.), from Albany, Oreg., to Seattle, Wash., 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 which contained 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.

On April 28, 1932, the Fox River Butter Co. (Inc.), Seattle Wash., 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 upon payment of costs and the execution of a bond in the sum of \$300, conditioned in part that it be made to conform with the law, and should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act, and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19771. Adulteration of apples. U. S. v. 756 Boxes of Apples. Consent decree ordering product released under bond to be cleaned. (F. & D. No. 28300. I. S. No. 54359. S. No. 6107.)

Excessive arsenic and lead spray residue were found on apples taken from the interstate shipment involved in this action.

On April 14, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 756 boxes of the said apples, alleging that the article had been shipped in interstate commerce, on or about March 31, 1932, by the Wenatchee Produce Co. from Wenatchee, Wash., consigned to New York, N. Y., that it remained in possession of the transportation company at Jersey City, N. J., in the original unbroken packages, and that it was adulterated in violation of the food and drugs act. The article was labeled in part: (Box) "Ex. Fancy Winesap H. Seaton Wenatchee, Wash. Rose Brand Apples Wenatchee Produce Co., Wenatchee."

It was alleged in the libel that the article was adulterated in that it contained added poisonous ingredients, namely, arsenic and lead, which might have rendered it injurious to health.