

20103. Adulteration of currants. U.S. v. 7 Cases of Currants. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28575. Sample No. 5205-A.)

This action involved the shipment of a quantity of currants, samples of which were found to bear arsenic and lead in amounts that might have rendered the article injurious to health.

On July 16, 1932, the United States attorney for the Northern District of Illinois, 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 seven cases of currants at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 12, 1932, by S. H. Bransky, from Benton Harbor, Mich., to Chicago, Ill., 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 added poisonous and deleterious ingredients, arsenic and lead, in amounts that might have rendered the article injurious to health.

On September 26, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20104. Adulteration of butter. U.S. v. 6 Boxes of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. No. 28698. Sample No. 12005-A.)

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

On August 1, 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 six boxes of butter at Jersey City, N.J., alleging that the article had been shipped in interstate commerce, on or about July 29, 1932, by the Augusta Dairy Products Co., Augusta, Wis., through the Russell Corners Creamery Co., from Augusta, Wis., to Jersey City, N.J., 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 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 the act of March 4, 1923.

The Great Atlantic & Pacific Tea Co. interposed a claim for the property as agent for the Augusta Dairy Products Co., admitted the allegations of the libel, and consented to the entry of a decree. On August 16, 1932, 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 \$200, conditioned in part that it be reworked so that it comply with the Federal Food and Drugs Act and all other laws.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20105. Misbranding and alleged adulteration of tomato paste. U.S. v. 287 Cases, et al., of Tomato Paste. Decrees of condemnation entered. Product released under bond. (F. & D. Nos. 28492-28496, incl., 28558, 28559, 28560. Sample Nos. 7057-A, 7058-A.)

This action involved shipments of two lots of a tomato product sold as tomato paste, which was not sufficiently concentrated to be called tomato paste. Sample cans taken from one of the shipments were found to contain less than the declared weight.

On July 21 and August 1, 1932, the United States attorney for the Southern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 356 cases of tomato paste, remaining in the original packages at Mobile, Ala., alleging that the article had been shipped in interstate commerce on or about July 5 and July 7, 1932, by A. Glorioso, from New Orleans, La., to Mobile, Ala., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Eagle Brand Tomato Paste * * * Packed by A. Glorioso, New Orleans, La."