

20605. Adulteration of canned frozen whole eggs. U. S. v. 23,000 Cans of Frozen Whole Eggs. Product released under bond; decomposed portion ordered destroyed or denatured. (F. & D. no. 29650. Samples nos. 20503-A to 20525-A, incl.)

This action was based on the interstate shipment of quantities of canned frozen whole eggs that were in part decomposed.

On November 21, 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 23,000 cans of frozen whole eggs, remaining in the original and unbroken packages at Jersey City, N. J., alleging that the article had been shipped in interstate commerce in various consignments between the dates of March 2 and April 6, 1932, inclusive, by Miles Friedman, Inc., from Chicago, Ill., to Jersey City, N. J., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Fancy Whole Eggs."

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

The Seaboard Terminal & Refrigeration Co., Jersey City, N. J., filed a claim and answer, admitting the allegations of the libel and consenting to the entry of a decree condemning the product. On December 7, 1932, judgment was entered, ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$90,000, conditioned in part that it be examined and sorted to separate the good from the bad, and that the cans containing decomposed eggs be destroyed or that they be denatured and used for technical purposes.

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

20606. Adulteration of mustard seed. U. S. v. 40 Sacks of Mustard Seed. Default decree of destruction. (F. & D. no. 29003. Sample no. 6132-A.)

This action involved the interstate shipment of a quantity of mustard seed that was found to contain insect excreta.

On October 7, 1932, the United States attorney for the Western District of Missouri, 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 40 sacks of mustard seed at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about June 22, 1932, by the Barkemeyer Seed Co., from Great Falls, Mont., to Kansas City, Mo., 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 vegetable substance.

On December 29, 1932, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

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

20607. Adulteration of apples. U. S. v. 810 Boxes of Apples. Claim and answer filed. Product released under bond. (F. & D. no. 29715. Sample no. 25328-A.)

This action involved an interstate shipment of apples that were found to bear arsenate of lead in an amount which might have rendered the article injurious to health.

On October 22, 1932, the United States attorney for the District of Montana, 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 810 boxes of apples at Butte, Mont., alleging that the article had been shipped in interstate commerce on or about October 14, 1932, by the F. O. Renn Fruit Co., from Brewster, Wash., to Butte, Mont., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Boxes) "Combination Ex Fancy & Fancy, Delicious Min. * * * Grown by A. C. Campbell, Chelan, Washington."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient, arsenate of lead, in an amount which might have rendered the article injurious to health.

On December 1, 1932, Sweet Bros., Inc., Butte, Mont., claimant, having filed an answer admitting the allegations of the libel and praying release of the