

alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement, "Net Weight 1 Lb.", was incorrect.

On April 22, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

M. L. WILSON, *Acting Secretary of Agriculture.*

21006. Adulteration of butter. U. S. v. 28 Tubs and 15 Tubs of Butter. Consent decrees of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. nos. 30398, 30399. Sample nos. 32009-A, 32010-A.)

These cases involved shipments of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.

On April 18, 1933, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 43 tubs of butter at New York, N.Y., alleging that the article had been shipped in interstate commerce, on or about April 3, 1933, by the Gray County Creamery, from Pampa, Tex., 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 percent by weight of milk fat had been substituted for butter.

On April 20 and 21, 1933, the Gray County Creamery, Pampa, Tex., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$600, conditioned in part that it be reworked so that it contain at least 80 percent of butterfat.

M. L. WILSON, *Acting Secretary of Agriculture.*

21007. Adulteration of apples. U. S. v. 159 Cases and 54 Cases of Apples. Default decrees of condemnation and destruction. (F. & D. nos. 29836, 29837. Sample nos. 31235-A, 31236-A.)

These cases involved interstate shipments of apples found to bear arsenate of lead in an amount which might have rendered them injurious to health.

On January 3 and January 9, 1933, the United States attorney for the District of Montana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 213 cases of apples at Billings, Mont., alleging that the article had been shipped in interstate commerce, on or about December 7 and December 23, 1932, by McMillan & Fox, Inc., from Yakima, Wash., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Winesap * * * Penco Brand Packers—Shippers Pennington & Co., Yakima, Wash." The remainder were labeled in part: "Ark. Black * * * Packed and Shipped by McMillan & Fox, Inc., Yakima, Wash."

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

On April 12, 1933, no claimant having appeared for the property, judgments of condemnation were entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21008. Adulteration of canned shrimp. U. S. v. 752 Cases and 285 Cases of Canned Shrimp. Consent decree of condemnation, forfeiture, and destruction. (F. & D. nos. 29609, 29614. Sample nos. 16363-A, 16439-A.)

These cases involved interstate shipments of canned shrimp found to be in part decomposed.

On December 9, 1932, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,037 cases of canned shrimp at Boston, Mass., alleging that the article had been shipped in interstate commerce, in part on or about September 17, 1932, and in part on or about September 24, 1932, by the Indian Ridge Canning Co., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The

article was labeled in part: (Can) "Rose Bud Brand Shrimp Indian Ridge Canning Co., Inc. Canner-A Houma, Louisiana."

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

On April 24, 1933, the two libels having been consolidated, and the Indian Ridge Canning Co., Houma, La., having appeared and 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 destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21009. Adulteration of vinegar. U. S. v. 54 Barrels of Vinegar, et al. Default decrees of condemnation and destruction. (F. & D. nos. 28953, 29651. Sample nos. 8945-A, 21762-A, 27367-A.)

These actions involved interstate shipments of vinegar found to contain arsenic in an amount which might have rendered it injurious to health.

On September 26 and December 16, 1932, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 54 barrels, 42 half-barrels, and 93 partly full half-barrels of vinegar, at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce, between July 13, 1932 and September 8, 1932, by H. D. Hollwedel, in part from Middleport, N. Y., and in part from Mayville, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pure Apple Cider Vinegar W. E. Mathes Vinegar Co., Albion, N. Y."

It was alleged in the libels that the article was adulterated in that it contained an added poisonous or deleterious ingredient, arsenic, which might have rendered it harmful to health.

On April 10, 1933, no claim having been entered for the property, judgments of condemnation were entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21010. Adulteration of apples. U. S. v. 16 Bushels, et al., of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29728. Sample nos. 28344-A, 28345-A, 28346-A.)

This case involved a quantity of apples found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On November 10, 1932, the United States attorney for the Northern District of Indiana, 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 114 bushels of apples at Hammond, Ind., alleging that the article had been shipped in interstate commerce, on or about November 6, 1932, by the Hammond Fruit Co., from Glenn, Mich., to Hammond, Ind., 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 or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On March 6, 1933, no claimant having appeared for the property, and the apples being then in a decaying condition, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21011. Adulteration of butter. U. S. v. 7 Cubes of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 30401. Sample no. 36961-A.)

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

On April 6, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 7 cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about March 29, 1933, by the Sentinel Creamery, from Missoula, Mont., and charging adulteration in violation of the Food and Drugs Act.