

**23136. Adulteration of pears. U. S. v. 335 Baskets of Pears. Consent decree of condemnation and destruction. (F. & D. no. 33481. Sample no. 10026-B.)**

This case involved a shipment of pears that were found to have arsenic and lead on them.

On or about August 18, 1934, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 335 baskets of apples at Dallas, Tex., alleging that the article had been shipped in interstate commerce, on or about August 8, 1934, by the Triway Brokerage Co., from Caryhurst, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grown and packed by No. 15 J. B. Ferguson, Provo, Utah."

The article was alleged to be adulterated in that examination showed the presence of poisonous and deleterious ingredients, arsenic and lead.

On September 5, 1934, the interested parties having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

**23137. Adulteration of blueberries. U. S. v. 9 Crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 33482. Sample no. 16602-B.)**

This case involved a shipment of blueberries which were infested with maggots.

On August 20, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 16, 1934, by Jack Pushaw, from Union, Maine, 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 whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 17, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**23138. Adulteration of butter. U. S. v. 21 Boxes of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. no. 33484. Sample no. 7260-B.)**

This case involved a shipment of butter, samples of which were found to contain less than 80 percent of milk fat.

On August 27, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 boxes of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about August 11, 1934, by the Red 73 Creamery, Inc., from Union City, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Creamery Butter Red 7s Creamery Inc., Union City, Indiana."

The article was alleged to be 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 required by the act of Congress of March 4, 1923.

On September 12, 1934, Kurtin & Kurtin, New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released to the claimant under bond, conditioned that it be reworked so that it contain at least 80 percent of milk fat.

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

**23139. Adulteration of butter. U. S. v. 30 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. no. 33485. Sample no. 7256-B.)**

This case involved a shipment of butter, samples of which were found to contain less than 80 percent of milk fat.

On August 18, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the