

was not corrected by the inconspicuous statement at the bottom of the label, "Twenty Percent Olive Oil, Eighty Percent Salad Oil." Misbranding was alleged for the further reason that the article purported to be a foreign product when not so.

On November 8, 1934, S. Alioto & Sons, Philadelphia, Pa., having appeared as claimants, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released under bond, conditioned that it be relabeled under the supervision of this Department.

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

23379. Adulteration of canned shrimp. U. S. v. 574 Cases and 247 Cases of Canned Shrimp. Consent decree of condemnation. Product released under bond. (F. & D. nos. 34208, 34209. Sample nos. 12092-B, 12095-B.)

This case involved shipments of canned shrimp which were found to be in part decomposed.

On November 2, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 821 cases of canned shrimp, in part at San Francisco, Calif., and in part at Oakland, Calif., alleging that the article had been shipped in interstate commerce in two consignments on or about September 14 and September 17, 1934, by Dunbar-Dukate Co., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Dunbar Brand Small Salad Shrimp * * * Distributed by Dunbar-Dukate Co., Inc., New Orleans, La."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On November 30, 1934, the Dunbar-Dukate Co., Inc., 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 under bond conditioned that it be sorted and repacked to eliminate the decomposed portions, and that it should not be disposed of contrary to the Federal Food and Drugs Act and all other laws.

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

23380. Adulteration of canned shrimp. U. S. v. 496 Cases of Canned Shrimp. Consent decree of condemnation and forfeiture. Product released under bond for segregation and destruction of the decomposed portions. (F. & D. no. 34210. Sample no. 17607-B.)

This case involved an interstate shipment of canned shrimp that was found to be in part decomposed.

On October 29, 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 496 cases of canned shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 2, 1934, by James A. Smith, from Ferdinandina, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Rose Shrimp Seeman Brothers, Inc. Wholesale Distributors, New York."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On November 9, 1934, James A. Smith, 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 under bond, conditioned that the decomposed portion be segregated and destroyed.

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

23381. Adulteration of apples. U. S. v. 240 Bushel Baskets of Apples. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 34247. Sample no. 17898-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead.

On October 16, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 240 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in

interstate commerce, on or about October 15, 1934, by the Indian Swan Orchard Co., from Selbyville, Del., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Indian Swan Fruits Grown by Indian Swan Orchard Co., Selbyville, Del."

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On October 31, 1934, Brant & Hudson, Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and it was ordered that the product be released under bond, conditioned that it should not be disposed of contrary to the Federal Food and Drugs Act, and all other laws.

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

23382. Adulteration of apples. U. S. v. 46 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 34248. Sample no. 10497-B.)

Examination of the apples involved in this case showed the presence of lead in an amount that might have rendered them injurious to health.

On October 18, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 46 bushels of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, on or about October 16, 1934, by the Indian Swan Orchard Co., from Selbyville, Del., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On November 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.*

23383. Adulteration of apples. U. S. v. 24 Baskets of Apples. Default decree of condemnation and destruction. (F. & D. no. 34249. Sample no. 17909-B.)

Examination of the apples involved in this case showed the presence of lead in an amount that might have rendered them injurious to health.

On October 19, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, on or about October 18, 1934, by Horace Roberts, from Moorestown, N. J., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On November 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.*

23384. Adulteration of apples. U. S. v. 22 Baskets of Apples. Default decree of condemnation and destruction. (F. & D. no. 34250. Sample no. 17906-B.)

Examination of the apples involved in this case showed the presence of lead in an amount that might have rendered them injurious to health.

On October 18, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, on or about October 17, 1934, by A. Maccoroni, from Waterford, N. J., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On November 5, 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.*