

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

On February 25, 1935, Frank B. Henney having appeared as claimant for the property and having admitted the allegations of the libel, judgment was entered ordering that the product be released under bond conditioned that it would not be disposed of in violation of the Federal Food and Drugs Act.

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

**24498. Adulteration of frozen eggs. U. S. v. 100 Cans of Frozen Whole Eggs. Decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 35287. Sample no. 14752-B.)**

This case involved a shipment of frozen eggs which were in part decomposed and putrid.

On March 21, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 cans of frozen whole eggs at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about March 2, 1935, by the Gross Egg Co., from Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Gross Egg Co. \* \* \* Chicago Whole Eggs."

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

On March 26, 1935, Isadore Mulmat, sole owner of the Mulmat Egg Co., Boston, Mass., having appeared as claimant for the property, 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.*

**24499. Adulteration of vanilla extract and lemon extract. U. S. v. 31 Cases of Vanilla Extract, et al. Default decree of condemnation and destruction. (F. & D. no. 35307. Sample nos. 16956-B, 16957-B.)**

This case involved vanilla extract and lemon extract that were found to contain isopropyl alcohol.

On March 28, 1935, 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 35 cases of vanilla extract and 13 cases of lemon extract at New York, N. Y., alleging that the articles had been shipped on or about March 5, 1935, by the quartermaster at Fort Sill, Okla.; that the shipment had been returned to the manufacturer, the de Calais Laboratories, New York, N. Y.; and that the articles were adulterated in violation of the Food and Drugs Act. The articles were labeled in part: "Calais Brand 8 Fl. Oz. Vanilla Extract [or "Lemon Extract"] \* \* \* de Calais Laboratories \* \* \* New York, N. Y."

The articles were alleged to be adulterated in that a substance, isopropyl alcohol, had been mixed and packed therewith so as to reduce or lower or injuriously affect their quality, and had been substituted for vanilla extract and lemon extract, which the articles purported to be. Adulteration was alleged for the further reason that the articles contained an added poisonous or deleterious ingredient, isopropyl alcohol, which might have rendered them injurious to health.

On April 25, 1935, 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.*

**24500. Adulteration of apples. U. S. v. 660 Bushels, et al., of Apples. Portion of product ordered delivered to relief organization after removal of deleterious substances. Remainder condemned and destroyed. (F. & D. nos. 35297, 35298. Sample nos. 23622-B, 23623-B.)**

Examination of the apples involved in these cases showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On January 22, 1935, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 660 bushels of apples at Tulsa, Okla. On or about January 30, 1935, a libel was filed in the

Eastern District of Oklahoma against 660 bushels of apples at Ada, Okla. The libels charged that the article had been shipped in interstate commerce on or about January 10, 1935, on behalf of the Growers Service Co., by M. W. Gardner, from Nyssa, Oreg., and that it was adulterated in violation of the Food and Drugs Act.

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

On January 31, 1935, J. L. Warnock, Tulsa, Okla., consignee of the lot seized in the Northern District of Oklahoma, having waived all right or interest in the apples, and no other party having intervened, judgment was entered ordering that the apples be peeled and delivered to a relief organization, and that the baskets be returned to J. L. Warnock. On February 15, 1935, no claim having been entered for the lot seized in the Eastern District of Oklahoma, judgment of condemnation was entered and it was ordered that the product be destroyed.

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