

25505. Adulteration and misbranding of butter. U. S. v. 10 Cases and 10 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 36769. Sample no. 52001-B.)

This case involved butter that contained filth and was deficient in milk fat.

On October 29, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cases of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce by the Warco Manufacturing Co., from Bucyrus, Ohio, on or about October 24, 1935, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "Warco Farm Brand Creamery Butter * * * Warco Farm Creamery, Bucyrus, Ohio."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed animal substance. Adulteration was alleged for the further reason that a product containing less than 80 percent of milk fat had been substituted for butter.

The article was alleged to be misbranded in that the statement on the label, "Butter", was false and misleading, since it contained less than 80 percent of milk fat.

On November 20, 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.*

25506. Adulteration of cauliflower. U. S. v. 396 Crates of Cauliflower. Consent decree of condemnation and destruction. (F. & D. no. 36771. Sample no. 39667-B.)

This case involved a shipment of cauliflower that was contaminated with arsenic and lead.

On October 24, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 396 crates of cauliflower at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about October 18, 1935, by the Sterling H. Nelson Co., from American Fork, Utah, and charging adulteration 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, which might have rendered it injurious to health.

On October 26, 1935, the Sterling H. Nelson Co., 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 destroyed.

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

25507. Adulteration of cauliflower. U. S. v. 425 Crates of Cauliflower. Decree of condemnation and destruction. (F. & D. no. 36772. Sample no. 39668-B.)

This case involved cauliflower which was contaminated with lead and arsenic.

On October 29, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 425 crates of cauliflower at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about October 16, 1935, by E. O. Muir & Co., from Murray, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "E. O. Muir & Co. * * * Salt Lake City, Utah Big M Brand."

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

On October 29, 1935, the shipper having appeared and admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be destroyed.

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

25508. Adulteration of cauliflower. U. S. v. 5 Crates of Cauliflower. Default decree of condemnation and destruction. (F. & D. no. 36773. Sample no. 50404-B.)

This case involved a shipment of cauliflower that was contaminated with arsenic.