

contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On January 6, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25887. Adulteration of butter. U. S. v. 346 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond for reworking. (F. & D. no. 36549. Sample no. 30575-B.)

This product was sold as butter but was deficient in milk fat.

On September 21, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 346 tubs of butter at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about August 28, 1935, by E. W. Newton, from Wheeling, W. Va., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was charged under the allegation that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On October 9, 1935, E. W. Newton, Wheeling, W. Va., having appeared as claimant, consent decree of condemnation and forfeiture was entered providing for release of the product to the claimant under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

W. R. GREGG, *Acting Secretary of Agriculture.*

25888. Adulteration of butter. U. S. v. 1 Tub of Butter, and another libel proceeding against butter. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36551, 36552. Sample nos. 39877-B, 39883-B.)

Samples of butter taken from these shipments were found to contain maggots, mold, portions of insects, human hair, rodent hair, and nondescript dirt.

On October 11 and October 16, 1935, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court on each of said dates, a libel praying seizure and condemnation of a quantity of butter at Baltimore, Md., consigned by J. N. Bernard, Rogersville, Tenn. It was alleged in the libels that the article had been shipped in interstate commerce, in part on or about October 6, 1935, and in part on or about October 14, 1935, from Rogersville, Tenn., to Baltimore, Md., and was adulterated in violation of the Food and Drugs Act.

Adulteration of the article, in each case, was charged under the allegation that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On November 19 and November 21, 1935, no claimant having appeared in either case, default decrees of condemnation, forfeiture, and destruction were entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25889. Adulteration of butter. U. S. v. 12 Cases and 4 Boxes of Butter. Default decree of condemnation, forfeiture, and destruction in each case. (F. & D. nos. 36556, 36557. Sample nos. 41586-B, 43462-B.)

Samples of the butter involved in these cases were found to contain mold, insect legs, filth, and nondescript dirt.

On October 3, 1935, and October 18, 1935, the United States attorneys for the Eastern District of Louisiana and the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 12 cases of butter at New Orleans, La., and 4 boxes of butter at Lynn, Mass. It was alleged in the libel filed in the Eastern District of Louisiana that the article had been shipped in interstate commerce on or about September 24, 1935, by Armour Creameries, from Fort Worth, Tex., to New Orleans, La., and in the libel filed in the District of Massachusetts that the article had been shipped in such commerce (about October 8, 1935) by Armour Creameries, from Marysville, Kans., to Lynn, Mass. It was charged in each libel that the product was adulterated in violation of the Food and Drugs Act. The lot libeled at New Orleans, La., was labeled in part: (Case) "Springbrook Country Rolls." The lot libeled at Lynn, Mass., was labeled in part: "Goldendale Creamery Butter Distributed by Armour Creameries."

Adulteration of the article in each of the cases was charged under the allegation that it consisted in whole or in part of a filthy and decomposed animal substance.

On November 8 and December 23, 1935, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25890. Adulteration of cauliflower. U. S. v. 56 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36558. Sample no. 53913-B.)

This product contained arsenic.

On October 16, 1935, 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 56 crates of cauliflower at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, on or about October 15, 1935, by A. Reich, from Riverhead, Long Island, N. Y., to Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was charged under the allegation that it contained an added deleterious or poisonous ingredient, namely, arsenic, which might have rendered it harmful to health.

On November 8, 1935, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25891. Adulteration of canned salmon. U. S. v. 2,858 Cases of Canned Salmon. Consent decree of condemnation and forfeiture. Product released under bond for separation and destruction of decomposed portion. (F. & D. no. 36559. Sample nos. 37894-B, 37897-B.)

This canned salmon was in part decomposed.

On October 23, 1935, 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 2,858 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about September 16, 1935, by the Superior Packing Co., from Tenakee, Alaska, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was charged under the allegation that it consisted in whole or in part of a decomposed animal substance.

On October 28, 1935, the Superior Packing Co., claimant, having admitted the material 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 separated therefrom and destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25892. Alleged adulteration of apples. U. S. v. 40 Bushels and 43 Bushels of Apples. Decree that product be immediately destroyed entered. (F. & D. no. 36562. Sample no. 19549-B.)

It was alleged that this product contained lead and arsenic.

On October 5, 1935, the United States attorney for the Western District of Kentucky, acting upon a report by the director, Bureau Foods, Drugs and Hotels of the State of Kentucky, filed in the district court a libel praying seizure and condemnation of 83 bushels of apples at Louisville, Ky., alleging that the article had been shipped in interstate commerce, on or about September 29, 1935, by Vincent Leone, Coloma, Mich., from that place to Louisville, Ky., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was charged under the allegation that it contained added poisonous or deleterious ingredients, namely, lead and arsenic, which might have rendered it injurious to health.

On October 24, 1935, it then appearing to the court that the seized property was spoiled and unfit for human consumption, a decree for its immediate destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*