

3,146 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 29 and August 14, 1936, by the Alaska Year Round Canneries Co., from Seldovia, Alaska, and charging adulteration in violation of the Food and Drugs Act.

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

On September 11 and December 4, 1936, the Alaska Year Round Canneries Co., having appeared as claimant and having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be released under bond conditioned that it not be disposed of in violation of the Food and Drugs Act.

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

26643. Adulteration of apples. U. S. v. 381 Boxes, et al., of Fresh Apples. Consent decree of condemnation. Product ordered released under bond. (F. & D. no. 38701. Sample nos. 24571-C, 24573-C.)

This case involved fresh apples that were contaminated with arsenic and lead.

On November 5, 1936, 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 430 boxes of fresh apples at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about October 26, 1936, by Duckwall Bros., Inc., from Hood River, Oreg., 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 substances, arsenic and lead.

On November 10, 1936, J. F. Hunt & Co. having appeared as claimant 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 should not be disposed of in violation of the law.

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

26644. Adulteration of oysters. U. S. v. 10 Barrels of Oysters. Consent decree ordering the article to be released under bond to be repacked. (F. & D. no. 38719. Sample no. 28427-C.)

This case involved oysters that contained added water.

On November 27, 1936, 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 10 barrels containing 1,452 pints of oysters at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about November 21, 1936, by O. E. Wentworth from Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that water had been mixed and packed with the article so as to reduce and lower its quality or strength; and in that water had been substituted wholly or in part for the article.

On December 8, 1936, O. E. Wentworth & Co., Baltimore, Md., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered ordering that the product be released under bond to be repacked in order to remove the excess water.

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

26645. Adulteration of oysters. U. S. v. 133, 710, and 250 Pint Cans of Oysters. Default decrees of condemnation and destruction. (F. & D. nos. 38720, 38822. Sample nos. 28430-C, 28622-C.)

These cases involved oysters that contained added water.

On November 27 and December 15, 1936, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,093 pints of oysters at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce in part on or about November 23, 1936, in the name of W. L. Tull, and in part on or about December 9, 1936, in the name of W. L. Tull & Bro., from Crisfield, Md., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that water had been mixed and packed with it so as to reduce or lower its quality or strength and in that water had been substituted in whole or in part for the article.

On December 18, 1936, and January 4, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

26646. Adulteration of apples. U. S. v. 99 Bushels of Fresh Apples. Consent decree of condemnation. Product released under bond, conditioned that deleterious substances be removed. (F. & D. no. 38740. Sample nos. 19114-C, 19116-C, 19117-C.)

This case involved apples that were contaminated with arsenic and lead.

On November 16, 1936, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 bushels of apples at Evanston, Wyo., alleging that the article had been transported in interstate commerce on or about October 30, 1936, from the Ben Lomond Orchard Co., Ogden, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grown and Packed by The Ben Lomond Orchard Co. Ogden, Utah."

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

On November 27, 1936, the Ben Lomond Orchard Co., Ogden, Utah, and the Wyoming State Hospital, Evanston, Wyo., claimants, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond to be returned to the packer to be cleaned in order to remove the deleterious substances.

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

26647. Adulteration of tomato catsup. U. S. v. 499 Cases and 886 Cases of Catsup. Consent decrees of condemnation. Product released under bond for segregation and destruction of unfit portions. (F. & D. nos. 35281, 35411. Sample nos. 27396-B, 27853-B, 32853-B.)

These cases involved interstate shipments of tomato catsup a part of which was filthy by reason of worm and insect infestation.

On March 20 and April 20, 1935, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,385 cases of tomato catsup at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about October 6, November 5, and December 15, 1934, and February 28 and March 1, 1935, by Libby, McNeill & Libby from Manzanola and Rocky Ford, Ill., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Rose-Dale Brand Tomato Catchup * * * Packed by Libby, McNeill & Libby Chicago."

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

On June 26, 1935, Libby, McNeill & Libby, claimant, having admitted the allegations of the libels and having consented thereto, decrees of condemnation were entered, which were subsequently amended and as amended provided that the codes deemed by the claimant as being in compliance with the law be released for further examination, that those codes found by such re-examination to be in compliance with the law be released and that those codes found to be bad, as well as those which were admitted by the claimant to be bad, be destroyed.

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

26648. Adulteration of butter. U. S. v. 194 Pounds, et al., of Butter. Default decree of condemnation and destruction. (F. & D. nos. 38570, 38571, 38698, 38699, 38804. Sample nos. 7692-C to 7695-C, incl., 7700-C.)

Samples of butter taken from these shipments were found to contain mold, maggots, insects, and filth.

On November 6, 1936, the United States attorney for the Western District of Virginia, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 991 pounds of butter at Roanoke, Va., alleging that the article had been shipped in interstate commerce in part on or about October 30, 1936, and in part on or about November 5, 1936, in various lots by Smithys Store from Taylorsville, N. C.; Pearsons