

26879. Adulteration of apples. U. S. v. 180 Bushels of Apples. Consent decree of condemnation. Product released under bond upon condition that deleterious substances be removed. (F. & D. no. 38739. Sample no. 4591-C.)

These apples were contaminated with arsenic and lead.

On November 21, 1936, 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 180 bushels of apples at St. Joseph, Mo., alleging that they had been shipped in interstate commerce on or about October 14, 1936, from Troy, Kans., that it had been trucked by Triplett & Brown, of Troy, Kans., 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 and deleterious ingredients, arsenic and lead, in amounts which might have rendered it injurious to health.

On December 2, 1936, Hunt Bros. Fruit Co., St. Joseph, Mo., 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 deleterious substances be removed by washing.

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

26880. Adulteration of apples. U. S. v. 66 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 38743. Sample no. 26024-C.)

This product was contaminated with arsenic and lead.

On November 17, 1936, 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 66 bushels of apples at Springfield, Mo., alleging that they had been shipped in interstate commerce on or about November 12, 1936, by Ed Greener from Coloma, Mich., 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 January 5, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26881. Adulteration of cabbage. U. S. v. 285 Baskets of Cabbage. Default decree of condemnation and destruction. (F. & D. no. 38744. Sample no. 23206-C.)

This product was contaminated with arsenic.

On November 18, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 285 baskets of cabbage at Baltimore, Md., alleging that it had been shipped in interstate commerce on or about November 13, 1936, by the Charleston Produce Distributors, from Yonges Island, S. C., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Towles Fancy Vegetables Grown & Packed by F. W. Towles Co. Inc., Martins Point, S. C."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, arsenic.

On December 30, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26882. Adulteration of tomato pulp. U. S. v. 288 Cans of Tomato Pulp. Default decree of condemnation and destruction. (F. & D. no. 38745. Sample no. 21485-C.)

This product contained filth resulting from worm infestation.

On December 3, 1936, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 288 cans of tomato pulp at St. Louis, Mo., alleging that it had been shipped in interstate commerce on or about September 29, 1936, by the Frazier Packing Corporation, from Elwood, Ind., 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 filthy vegetable substance.

On January 28, 1937, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26883. Adulteration of canned salmon. U. S. v. 184 Cases of Canned Salmon. Decree of condemnation. Product released under bond. (F. & D. no. 38748. Sample no. 31220-C.)

This salmon was in part decomposed.

On December 4, 1936, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 184 cases of canned salmon at Provo, Utah, alleging that the article had been packed by the Douglas Fisheries Co., Douglas, Alaska; that it had been shipped in interstate commerce on or about September 2, 1936, by the Rogers Co. from Seattle, Wash., for the Oceanic Sales Co., and that it was adulterated in violation of the Food and Drugs Act. It was labeled in part: "Silver Rapids Brand Pink Salmon Distributed by Red & White Corporation, Chicago, Illinois."

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

On January 9, 1937, the Douglas Fisheries Co., Douglas, Alaska, 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 sold or otherwise disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

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

26884. Adulteration of tomato paste. U. S. v. 25 Cases of Tomato Paste (and six other proceedings). Default decrees of condemnation and destruction. (F. & D. nos. 38749, 38791, 38797, 38814, 38815, 38861, 38867. Sample nos. 17553-C, 17747-C, 17748-C, 17750-C, 17757-C, 17905-C, 26453-C.)

This product contained excessive mold.

On December 5, 11, 12, 14, 19, and 22, 1936, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 263 cases of tomato paste in various lots at Jersey City, Paterson, and Newark, N. J., respectively, alleging that the article had been shipped in interstate commerce between the dates of September 14, 1936, and November 23, 1936, by the Marlboro Canning Corporation from Marlboro, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lola Brand Tomato Paste Color Added * * * Packed in U. S. A. by The Marlboro Canning Corp. Marlboro, N. Y."

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

On January 21, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

26885. Adulteration of tomato puree. U. S. v. 99 Cases and 198 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. & D. nos. 38725, 38758. Sample nos. 21489-C, 21495-C.)

This product contained filth resulting from worm infestation, and a part of it also contained excessive mold.

On November 30 and December 4, 1936, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 297 cases of tomato puree at St. Louis, Mo., alleging that it had been shipped in interstate commerce on or about October 5 and October 8, 1936, by the Everitt Packing Co., from Underwood, Ind., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Ever-It Brand * * * Tomato Puree Packed by Everitt Packing Co. Underwood, Ind." The remainder was labeled: "DeLuxe Brand Tomato Puree Packed Especially for Lowell-Krekeler Grocer Co. St. Louis, Mo."

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

On December 23, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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