

**27413. Adulteration of pears. U. S. v. 39 Bushels of Pears. Decree of destruction.** (F. & D. no. 38495. Sample no. 15063-C.)

This product was contaminated with arsenic and lead.

On October 6, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 39 bushels of pears at Cincinnati, Ohio, consigned on October 4, 1936, alleging that they had been shipped in interstate commerce by J. M. Benson from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "A. V. Frake Benton Harbor Michigan." It was alleged to be adulterated in that it contained poisonous or deleterious ingredients, namely, lead and arsenic, in amounts which might have rendered it injurious to health.

On October 13, 1936, the consignee having recommended destruction of the product, judgment was entered ordering that it be destroyed.

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

**27414. Adulteration and misbranding of potatoes. U. S. v. 360 Sacks of Potatoes. Product released under bond to be relabeled.** (F. & D. no. 38499. Sample no. 31709-C.)

These potatoes were below the grade declared on the label because of excessive grade defects.

On November 5, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 360 sacks of potatoes at Cincinnati, Ohio (consigned October 26, 1936, alleging that the article had been shipped in interstate commerce by the Wesco Foods Co., from Blanchard, Mich., and charging adulteration and misbranding in violation of the Food and Drugs Act. It was labeled in part: "Diamond A Brand U. S. No. 1 Grade Michigan Potatoes F. E. Baldwin Inc., Chicago, Illinois."

The article was alleged to be adulterated in that potatoes below U. S. grade No. 1 had been substituted wholly or in part for grade No. 1 potatoes, which it purported to be.

It was alleged to be misbranded in that the statement "U. S. No. 1 Grade", borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to potatoes that were below U. S. No. 1 grade.

On November 7, 1936, the Wesco Foods Co., claimant, having admitted the allegations of the libel and consented to the entry of a decree, judgment was entered finding the product adulterated and misbranded and ordering that it be released under bond conditioned that it be relabeled.

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

**27415. Adulteration of crab meat. U. S. v. William C. Larrimore. Plea of guilty. Fine, \$50 and costs.** (F. & D. no. 38650. Sample nos. 7948-C, 7951-C.)

This case involved crab meat that contained filth.

On April 16, 1937, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William C. Larrimore, St. Michaels, Md., charging shipment by said defendant in violation of the Food and Drugs Act on or about August 12 and August 16, 1936, from the State of Maryland into the State of Pennsylvania of quantities of crab meat that was adulterated.

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

On May 12, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

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

**27416. Adulteration of canned prunes. U. S. v. Western Oregon Packing Corporation. Plea of guilty. Fine, \$25.** (F. & D. no. 38680. Sample no. 24083-C.)

This product was in part moldy and decomposed.

On April 26, 1937, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Western Oregon Packing Corporation, Corvallis, Oreg., charging shipment by said defendant in violation of the Food and Drugs Act on or about October 6, 1936, from the State of Oregon into the State of Washington of a quantity of canned prunes that were adulterated. The article