

29203. Adulteration of crab apples. U. S. v. 50 Bushels of Hyslop Crab Apples. Default decree of condemnation and destruction. (F. & D. No. 42128. Sample No. 59437-C.)

This product was contaminated with arsenic and lead.

On or about October 5, 1937, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 bushels of crab apples at Peoria, Ill.; alleging that on or about September 26, 1937, the Handler Produce Co. transported the article from Benton Harbor, Mich., to itself at Peoria, Ill.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Erwin Weber No. 2 Benton Harbor, Mich."

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

On December 13, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29204. Adulteration of shell eggs. U. S. v. 3½ Cases and ½ Case of Shell Eggs (and 1 other seizure action). Default decrees of destruction. (F. & D. Nos. 42884, 42901. Sample Nos. 18024-D, 18213-D.)

This product contained blood spots and was decomposed.

On June 2 and 7, 1938, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court two libels (the former subsequently amended) praying seizure and condemnation of nine cases of shell eggs at San Francisco, Calif.; alleging that the article had been shipped in interstate commerce on or about May 21 and May 28, 1938, by Idaho Egg Producers from Caldwell, Idaho; and charging adulteration in violation of the Food and Drugs Act. A portion was labeled: "Animal Food Only Not Fit For Human Consumption." The remainder was labeled: "Spots Not Fit For Human Food From Idaho Egg Producers."

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

On July 21 and 22, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29205. Adulteration of butter. U. S. v. 14 Cases of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 43045. Sample No. 12113-D.)

This product contained less than 80 percent of milk fat.

On July 1, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 cases of butter at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 23, 1938, by Farmers' Cooperative Creamery & Produce Co., from Grantsburg, Wis.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained less than 80 percent by weight of milk fat.

On July 13, 1938, Farmers' Cooperative Creamery & Produce Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29206. Adulteration of butter. U. S. v. 55 Tubs of Butter. Consent decree of condemnation. Product released under bond to be reworked. (F. & D. No. 43145. Sample No. 31409-D.)

This product contained less than 80 percent of milk fat.

On July 5, 1938, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 tubs of butter at Elmira, N. Y.; alleging that the article had been shipped in interstate commerce on or about June 20, 1938, by the Minnesota Creamery Co., from St. Paul, Minn.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which