

ordered released under bond conditioned that the bottles and cases be salvaged and the contents destroyed.

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

29320. Adulteration of cherries. U. S. v. 314 Baskets of Cherries. Default decree of condemnation and destruction. (F. & D. No. 43146. Sample No. 29891-D.)

This product was contaminated with lead. ©

On July 16, 1938, 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 314 baskets of cherries at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about July 15, 1938, by J. Edward McGowan from Marlborough, N. Y.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled "Jeremiah Lasher Germantown N. Y."

It was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On August 12, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29321. Misbranding of canned cherries. U. S. v. 24 Cases of Cherries. Default decree of condemnation and destruction. (F. & D. No. 43087. Sample No. 18049-D.)

This product was substandard because the cherries were packed in water, and it was not labeled to indicate that it was substandard.

On July 16, 1938, 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 24 cases of canned cherries at Oakland, Calif.; alleging that the article had been shipped in interstate commerce on or about April 29, 1938, by Paulus Bros. Packing Co. from Portland, Oreg.; and charging misbranding in violation of the Food and Drugs Act. It was labeled in part: "White Tag R. S. P. Cherries * * * Paulus Bros. Packing Co. Salem, Oregon."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, since it was water pack and its package or label did not bear the plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On August 29, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29322. Adulteration of huckleberries. U. S. v. 13 Crates of Huckleberries. Default decree of condemnation and destruction. (F. & D. No. 43235. Sample No. 29898-D.)

This product was infested with maggots.

On July 26, 1938, 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 13 crates of huckleberries at Philadelphia, Pa.; alleging that the article had been shipped in interstate commerce on or about July 24, 1938, by A. W. Colwell from Clinton, N. C.; 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, decomposed, or putrid vegetable substance.

On August 24, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29323. Adulteration of curry powder. U. S. v. 6 Cans of Curry Powder. Default decree of condemnation and destruction. (F. & D. No. 43127. Sample No. 19148-D.)

This product contained excessive lead.

On July 26, 1938, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six cans of curry powder at Los Angeles, Calif.; alleging that the article had been imported