

Between November 7 and December 21, 1938, the United States attorneys for the Southern District of New York and the District of Rhode Island, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of a total of 1,100 bags and 188 cartons of almonds at New York, N. Y., and 38 bags of almonds at Providence, R. I.; alleging that they had been shipped within the period from September 1 to October 8, 1938, by California Almond Growers Exchange from Sacramento, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Golden State Brand," or "Fancy Blue Diamond Brand."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 30, 1938, and January 6, 1939, the Geo. Wm. Bentley Co., Providence, R. I., having filed a claim for the lots seized at Providence, R. I., and the California Almond Growers Exchange having filed a claim for the goods seized at New York, N. Y., and said claimants having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that the unfit portion be segregated and destroyed or denatured.

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

30071. Adulteration of apples. U. S. v. 50 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 44373. Sample No. 32174-D.)

This product was contaminated with arsenic and lead.

On October 3, 1938, the United States attorney for the Northern 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 apples at Naperville, Ill.; alleging that they had been shipped in interstate commerce from Sodus, Mich., on or about September 27, 1938, by Harry Sverdlin to himself at Naperville; 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 harmful to health.

On November 28, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30072. Adulteration of apples. U. S. v. 44 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 44337. Sample No. 45981-D.)

This product was contaminated with arsenic and lead.

On October 31, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 44 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce from Coloma, Mich., on or about October 26, 1938, by Frank Rinnelli to himself at Chicago; 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 harmful to health.

On November 16, 1938, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

30073. Adulteration of fish. U. S. v. Six Boxes of Tullibees. Default decree of condemnation and destruction. (F. & D. No. 44379. Sample No. 19705-D.)

This product was infested with parasitic worms.

On November 3, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six boxes of tullibees at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about October 25, 1938, by M. C. French from Warroad, Minn.; 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 animal substance; and in that it consisted of portions of animals unfit for food.

On December 13, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30074. Adulteration of candy. U. S. v. 60 Boxes of Candy (and 1 similar seizure action). Default decrees of condemnation and destruction. (F. & D. Nos. 43865, 43866, 43867, 43874, 43875. Sample Nos. 27941-D to 27945-D, inclusive.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be insect-infested.

On September 14, 1938, the United States attorney for the Southern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 66 boxes of candy at Peoria, Ill.; alleging that the article had been shipped within the period from on or about September 22, 1937, to June 21, 1938, in various shipments by J. C. Claeys Manufacturing Confectioner from South Bend, Ind., Hollywood Candy Co. from Minneapolis, Minn., Chicky Candies, Inc., from Grand Rapids, Mich., and B. & G. Candy Co. from Detroit, Mich.; and charging adulteration in violation of the Food and Drugs Act.

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

On January 5, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30075. Adulteration and misbranding of grape concentrate. U. S. v. 36 Bottles of Grape True Fruit Concentrate W. Consent decree of condemnation. Product released under bond to be relabeled. (F. & D. No. 43241. Sample No. 22334-D.)

Analysis showed that this product contained anthranilic acid ester, a synthetic flavoring chemical.

On August 10, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 gallon bottles of grape concentrate at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about July 15, 1938, by Polak's Frutal Works, Inc., from Long Island, N. Y.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Polak's Frutal Works Amersfoort, Holland."

It was alleged to be adulterated in that a substance containing a synthetic flavoring chemical had been substituted wholly or in part for it.

It was alleged to be misbranded in that the statement on the label, "Grape True Fruit Concentrate," was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was synthetically flavored; and in that it was an imitation of and was offered for sale under the distinctive name of another article.

On September 2, 1938, Polak's Frutal Works, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of this Department.

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

30076. Adulteration of vegetable juices. U. S. v. 10 Cases and 12 Cases of Vegetable Juices. Default decrees of condemnation and destruction. (F. & D. Nos. 44469, 44527. Sample Nos. 58580-D, 59264-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be undergoing a form of chemical decomposition.

On December 5 and 15, 1938, the United States attorneys for the Western District of Kentucky and the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 10 cases of vegetable juices at Louisville, Ky., and 12 cases of vegetable juices at New York, N. Y.; alleging that the article had been shipped in part on or about June 15, 1938, and in part on