United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

17976–18000

[Approved by the Secretary of Agriculture, Washington, D. C., June 17, 1931]

17976. Adulteration and misbranding of honey. U. S. v. 175 Gallons of Honey. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 24455. I. S. No. 09585. S. No. 2723.)

Samples of honey from the herein-described shipment having been found to be adulterated with sugar sirup, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Oklahoma.

On January 18, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 175 gallons of honey at Oklahoma City, Okla., consigned by Mary Lee Wallace, Laguna, Tex., December 3, 1929, alleging that the article had been shipped in interstate commerce from Laguna, Tex., into the State of Oklahoma, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Uvalde Honey Packed by Mary Lee Wallace, Uvalde County, Laguna, Texas."

It was alleged in the libel that the article was adulterated in that a substance, sugar sirup, had been mixed and packed therewith so as to reduce and lower its quality and strength and had been substituted in part for honey, which the article purported to be.

It was further alleged in the libel that the article was misbranded in violation of section 8 of the act, paragraphs 2 and 4.

On December 20, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be labeled "Imitation honey," and sold by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17977. Adulteration of apples. U. S. v. 810 Boxes, et al., of Apples. Product released under bond to be reconditioned. (F. & D. Nos. 25335, 25336. I. S. Nos. 11702, 11703. S. No. 3604.)

Arsenic trioxide having been found on samples of apples taken from the herein-described shipments, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On November 19, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 1,620 boxes of apples, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the Stratton Fruit Exchange (Inc.), Stratton Station, Utah, (billed at Provo, Utah) alleging that the article had been shipped in interstate commerce on or about November 4, 1930, from Stratton, Utah, to Los Angeles, Calif., and charging adulteration in violation of the food and drugs act.

It was alleged in the libels that the article was adulterated in that it contained added poisonous ingredients, viz, arsenic and lead, which might have rendered it injurious to health.

On January 9, 1931, the Stratton Fruit Exchange (Inc.), Provo, Utah, having appeared as claimant for the property and having admitted the material allegations of the libels, and the cases having been consolidated into one cause of action, a decree was entered ordering that the product be released to the said claimant to be reconditioned under the supervision of this department, under a cost bond in the sum of $250, and release bond in the sum of $400.

ARTHUR M. HYDE, *Secretary of Agriculture.*