

20434. Adulteration of cauliflower. U. S. v. 16 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29214. Sample nos. 20372-A, 20373-A, 20374-A.)

This action involved an interstate shipment of cauliflower that was found to bear arsenic in an amount which might have rendered it injurious to health.

On October 21, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 16 crates of cauliflower, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 21, 1932, by Dewey D. Leavitt, from Riverhead, Long Island, N.Y., to Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, arsenic.

On November 18, 1932, 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 destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20435. Adulteration of cauliflower. U. S. v. 101 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29216. Sample no. 20394-A.)

This action involved an interstate shipment of cauliflower that was found to bear arsenic in an amount which might have rendered the article injurious to health.

On October 20, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 101 crates of cauliflower, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 19, 1932, by Joseph Fustino, from Riverhead, Long Island, N.Y., to Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or deleterious ingredient, to wit, arsenic.

On November 18, 1932, 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 destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20436. Adulteration and misbranding of butter. U. S. v. 110 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. no. 29209. Sample no. 9500-A.)

This action involved the interstate shipment of a quantity of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard prescribed by Congress.

On October 6, 1932, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 110 boxes of butter, remaining in the original and unbroken packages at Springfield, Mass., consigned on or about September 26, 1932, alleging that the article had been shipped in interstate commerce by the Mandan Creamery Co., from Mandan, N.Dak., to Springfield, Mass., and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article, "butter."

On November 18, 1932, the Mandan Creamery & Produce Co., Mandan, N.Dak., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product