at Lockport, La.; alleging that the article had been shipped on or about November 3, 1937, by Charms Sales Co. from Bloomfield, N. J.; 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 November 9, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29814. Adulteration of apples. U. S. v. 528 Bushels of Apples. Consent decree of condemnation. Product released under bond. (F. & D. No. 44336. Sample Nos. 42635–D, 42930–D.)

This product was contaminated with arsenic and lead.

On November 3, 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 528 bushels of apples at West Somerset, N. Y.; alleging that the article had been shipped in interstate commerce on or about October 24, 1938, by Samuel Rinelli from Pittsburgh, Pa.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "NY U. S. No. 1 * * * F. H. Ferguson & Son, Appleton, N. Y. Ont. Spy."

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

On November 4, 1938, Samuel Rinelli, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that the lead and arsenic be removed under the supervision of this Department.

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

29815. Adulteration of butter. U. S. v. Armour & Co. (Armour Creameries). Plea of guilty. Fine, $100. (F. & D. No. 42518. Sample Nos. 55201–C, 55203–C, 55210–C, 2222–D, 2223–D.)

This product was deficient in milk fat.

On July 5, 1938, the United States attorney for the District of South Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Armour & Co., a corporation, trading as Armour Creameries at Mitchell, S. Dak., alleging shipment by said defendant on or about September 29, 1937, and January 24, 1938, from the State of South Dakota into the States of Massachusetts and Minnesota, respectively, of quantities of butter which was adulterated in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Goldendale Creamery Butter. Distributed by Armour Creameries General Offices Chicago."

The article was alleged to be adulterated in that a product which contained 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, as prescribed by the act of March 4, 1923.

On November 22, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $100.

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

29816. Adulteration of canned blackberries. U. S. v. Paulus Bros. Packing Co. Plea of guilty. Fine, $50. (F. & D. No. 42534. Sample No. 51896–C.)

This product was in part moldy.

On July 1, 1938, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Paulus Bros. Packing Co., a corporation, Salem, Oreg., alleging shipment by said defendant in violation of the Food and Drugs Act on or about October 15, 1937, from the State of Oregon into the State of Ohio, of a quantity of canned blackberries which were adulterated. The article was labeled in part: "White Tag Blackberries Select Pacific Coast Fruits."

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

On August 9, 1938, the defendant entered a plea of guilty and the court imposed a fine of $50.

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