30164. Adulteration of apples. U. S. v. 10 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 44424. Sample No. 45988-D.)

This product was contaminated with arsenic and lead.

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 10 bushels of apples at Glenview, Ill.; alleging that the article had been shipped in interstate commerce on or about October 27, 1938, from Bangor, Mich., by Joseph Joerlicki to himself at Glenview, Ill.; 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 December 7, 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.*

30165. Adulteration of fish roe. U. S. v. Five Tubs and Seven Tubs of Fish Roe (and one other seizure action against the same product). Default decrees of condemnation and destruction. (F. & D. Nos. 44578, 44579, 44614. Sample Nos. 26997-D, 44113-D, 44114-D.)

This product contained parasitic worms.

On December 28, 1938, and on January 3, 1939, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 17 tubs of fish roe at New York, N. Y.; alleging that the article had been shipped in interstate commerce in part on or about December 6, 9, and 15, 1938, by Frank C. Calhoun from Northport, Mich.; 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 animal substance.

On January 19 and 26, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

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

30166. Adulteration of apple butter. U. S. v. 50 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. No. 44244. Sample No. 20462-D.)

This product was in whole or in part insect-infested.

On October 31, 1938, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 cases of apple butter at Phoenix, Ariz., consigned on or about August 31, 1938; alleging that the article had been shipped by Smart & Final Co., Ltd., from Wilmington, Calif.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Table Queen Brand Apple Butter Packed For Smart & Final Co. Ltd. California—Arizona—Nevada."

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

On January 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

30167. Adulteration of frozen whole eggs. U. S. v. 842 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. No. 44445. Sample Nos. 12132-D, 12133-D.)

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

On December 2, 1938, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 842 cans of frozen whole eggs at Newark, N. J.; alleging that the article had been shipped on or about November 10, 1938, from Louisville, Ky., by Armour Creameries; and charging adulteration in violation of the Food and Drugs Act.