

**26925. Adulteration of apples. U. S. v. 26 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 38966. Sample no. 26025-C.)**

These apples were contaminated with arsenic and lead.

On December 15, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 bushels of apples at Kenosha, Wis., alleging that the article had been transported in interstate commerce on or about November 13, 1936, from Hammond, Ind., by truck hired by Samuel Rosenbloom, the consignor, and accompanied by him to Kenosha, Wis., and charging adulteration in violation of the Food and Drugs Act. It was labeled: "Harold Hiler R. 2 Watervliet, Mich."

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 15, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**26926. Adulteration of confectionery. U. S. v. H. L. Caplan & Co., Inc. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. no. 34050. Sample nos. 50544-A, 60023-A.)**

This case involved confectionery that contained alcohol.

On November 5, 1935, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against H. L. Caplan & Co., Inc., Baltimore, Md., alleging shipment by said company in violation of the Food and Drugs Act on or about December 29, 1933, from the State of Maryland into the State of New York; and on or about January 25, 1934, from the State of Maryland into the State of Ohio of quantities of confectionery that was adulterated. The article was labeled: (Foil wrapper) "Mlle. Modiste Cognac [or "Apricot", "Benedictine", or "Rhum"] Confiseur Paris."

It was alleged to be adulterated in that it contained spirituous liquor.

On February 5, 1936, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$25 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

**26927. Adulteration of butter. U. S. v. 72 Tubs, more or less, of Butter. Portion of product condemned and destroyed; remainder released. (F. & D. no. 35810. Sample no. 41031-B.)**

A part of this product contained filth.

On July 10, 1935, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 tubs, more or less, of butter at Minneapolis, Minn., alleging that it had been shipped in interstate commerce on or about July 3, 1935, by the Black Hills Farmers Union Creamery from Rapid City, S. Dak., 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 substance.

On February 5, 1937, 84 tubs of the product having been seized and the Black Hills Farmers Union Creamery having appeared as claimant therefor, judgment was entered ordering that 41 tubs be condemned and destroyed and that the remainder be released.

W. R. GREGG, *Acting Secretary of Agriculture.*

**26928. Alleged adulteration of frozen eggs. U. S. v. Krasno Quality Egg Co. Directed verdict for defendant. (F. & D. no. 35899. Sample no. 7391-B.)**

On September 5, 1935, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Krasno Quality Egg Co., a corporation, Milwaukee, Wis., alleging that said company had shipped on or about March 13, 1934, from the State of Wisconsin into the State of New York a quantity of frozen eggs, and charging that they were adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a decomposed and putrid animal substance.