26619. Adulteration of herring and mackerel. U. S. v. 70 Barrels of Herring and 70 Barrels of Mackerel. Default decree of condemnation and destruction. (F. & D. no. 38406. Sample nos. 16453–C, 16454–C.)

This case involved herring and mackerel that were in part decomposed.

On or about October 9, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 barrels of herring and 70 barrels of mackerel at Baltimore, Md., alleging that the articles had been shipped in foreign commerce on or about July 24, 1936, by Neville Sons, Ltd., Halifax, Nova Scotia, and shipped in interstate commerce from St. Albans, Vt., on or about July 27, 1936, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Neville Sons Ltd. Canada Herring [or "Mackerel"] * * * Halifax, N. S. Product of Canada."

The articles were alleged to be adulterated in that they consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On November 11, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26620. Adulteration of apples. U. S. v. 175 Crates of Apples. Consent decree of condemnation. Product released subject to compliance with the law. (F. & D. no. 38411. Sample no. 15030–C.)

This case involved apples that were contaminated with arsenic and lead.

On September 29, 1936, the United States attorney for the Western District of Kentucky, acting upon a report by an official of the Kentucky State Board of Health, filed in the district court a libel praying seizure and condemnation of 175 crates of apples at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about September 26, 1936, via truck of Walt Franklin, of Anderson, Ind., from Watervliet, Mich., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On October 1, 1936, Walt Franklin having appeared as claimant, consent decree of condemnation was entered and it was ordered that the product be released subject to reconditioning and payment of all costs assessed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26621. Adulteration of apples. U. S. v. 65 Bushels of Apples. Consent decree of condemnation. Apples cleansed and delivered to charitable institution. (F. & D. no. 38412. Sample no. 15033–C.)

This case involved an interstate shipment of apples that were contaminated with lead and arsenic.

On or about September 30, 1936, the United States attorney for the Western District of Kentucky, acting upon a report by an official of the Kentucky State Board of Health, filed in the district court a libel praying seizure and condemnation of 65 bushels of apples at Louisville, Ky., trucked by Charles E. Kimbel of Louisville, Ky., alleging that the article had been transported in interstate commerce on or about September 27, 1936, from Fennville, Mich., 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, lead and arsenic, which might have rendered it injurious to health.

On October 1, 1936, Charles E. Kimbel, Louisville, Ky., claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the apples be delivered to a charitable institution after having been washed to remove the deleterious substances.

M. L. WILSON, *Acting Secretary of Agriculture.*

26622. Adulteration of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. & D. no. 38413. Sample nos. 17022–C, 17241–C.)

This case involved butter that was deficient in milk fat.

On October 6, 1936, the United States attorney for the Southern 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 seven tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate