The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On August 6, 1935, the consignee having requested the destruction of the product, judgment was entered ordering that it be destroyed immediately.

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

25179. Adulteration of apples. U. S. v. A. J. Todkill. Plea of guilty. Fine, $50. (F. & D. no. 35921. Sample nos. 7477–B, 20767–B, 23739–B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On September 3, 1935, 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 an information against A. J. Todkill, trading at Barker, N. Y., alleging shipment by said defendant in violation of the Food and Drugs Act on or about August 16, 1934, from the State of New York into the State of New Jersey, and on or about November 21, 1934, from the State of New York into the State of Pennsylvania, of quantities of apples which were adulterated. A portion of the article was labeled in part: "Duchess S Powley Lyndonville NY."

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

On October 21, 1935, the defendant entered a plea of guilty and the court imposed a fine of $50.

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

25180. Adulteration of apples. U. S. v. 36 Bushels of Apples. Default decree of condemnation. Product delivered to a charitable institution. (F. & D. no. 36410. Sample no. 38576–B.)

Examination of the apples covered by this case showed the presence of lead in an amount that might have rendered them injurious to health.

On August 24, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 bushels of apples at Denver, Colo., consigned by Cicardi Bros. Fruit & Produce Co., from Elsberry, Mo., alleging that the article had been shipped in interstate commerce on or about August 5, 1935, from the State of Missouri into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "H. W. Ringhausen, Elsberry, Mo."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, namely, lead, which might have rendered it injurious to health.

On September 6, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable institution on condition that the deleterious substance be removed.

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

25181. Adulteration of huckleberries. U. S. v. 7 Crates of Huckleberries. Default decree of condemnation and destruction. (F. & D. no. 36294. Sample no. 42349–B.)

This case involved a shipment of huckleberries which were infested with maggots.

On August 6, 1935, 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 crates of huckleberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 2, 1935, by Davis & Marvel, from Seaford, Del., 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 vegetable substance.

On August 28, 1935, 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.*