

23346. Adulteration of apples. U. S. v. 44 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 33743. Sample no. 2178-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead.

On September 19, 1934, 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 44 bushels of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about September 12, 1934, by Peter Micheloni, from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Phil Lynch Benton Harbor, Mich. King David."

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

On November 15, 1934, 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.*

23347. Adulteration of apples. U. S. v. 71 Bushels and 64 Bushels of Apples. Default decrees of destruction. (F. & D. nos. 33748, 33749. Sample nos. 18354-B, 18355-B.)

Examination of the apples involved in these cases showed the presence of arsenic and lead.

On September 25 and 26, 1934, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 135 bushels of apples at Holden, Mo., alleging that the article had been transported in interstate commerce, on or about September 23, 1934, by Paul Snare, from Bentonville, Ark., 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 injurious to health.

On November 24 and 27, 1934, no claim or answer having been filed, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

23348. Adulteration of cauliflower. U. S. v. 5½ Crates and 16 Crates of Cauliflower. Default decrees of condemnation and destruction. (F. & D. nos. 33752, 34151. Sample nos. 17872-B, 17883-B.)

An examination of the cauliflower involved in these cases showed the presence of arsenic in an amount that might have rendered it injurious to health.

On October 8 and 10, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 21½ crates of cauliflower at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 5 and October 9, 1934, by Joseph Sarafin, from Robbinsville, N. J., and charging adulteration in violation of the Food and Drugs Act.

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

On November 5, 1934, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

23349. Misbranding of Graham crackers. U. S. v. American Cracker Co. Plea of guilty. Fine, \$100 and costs on first count. Fines on remaining counts suspended. (F. & D. no. 33753. Sample nos. 47702-A, 47703-A, 45473-A, 45474-A, 45478-A.)

This case was based on interstate shipments of Graham crackers that were labeled "Orange Honey Flavored." Examination of the article showed that it had no flavor of orange and honey, and that a large proportion of the packages were short weight.