

district court a libel praying seizure and condemnation of 18 cases of shelled pecans at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 17, 1936, by the Southland Pecan Co., Inc., from Columbus, Ga., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Sticker on one side of package) "Fresh Gold Medal Shelled Nuts Net Wt. 6 oz. when packed Southland Pecan Co. Inc. Columbus, Ga., U. S. A."

The article was alleged to be misbranded in that its package bore a device, namely, a cardboard false bottom, which was misleading in that the package did not contain the quantity of food it purported to contain; and in that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On June 29, 1936, no claimant having appeared, judgment of forfeiture was entered and it was ordered that the product be destroyed.

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

25997. Adulteration of apple butter. U. S. v. 15 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. no. 37222. Sample no. 32466-B.)

This case involved a shipment of apple butter that contained an added poisonous or deleterious ingredient, lead.

On February 18, 1936, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cases of apple butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about January 18, 1936, by the American Syrup & Sorghum Co., from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Country Club Brand Apple Butter."

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

On June 3, 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.*

25998. Adulteration of apple butter. U. S. v. 24 Cases, 106 Cases, and 18 Cases of Apple Butter. (F. & D. no. 37225. Sample nos. 52718-B, 52734-B, 52744-B.)

This case involved interstate shipments of apple butter that was found to contain excessive lead.

On February 19, 1936, the United States attorney for the Southern District of Iowa filed in the district court a libel, and on April 6, 1936, an amendment thereto, said libel as amended praying seizure and condemnation of one lot of 24 cases, a second lot of 106 cases, and a third lot of 18 cases of apple butter, at Des Moines, Iowa, alleging that the article had been shipped in interstate commerce on or about November 23 and 29 and December 7, 1935, by the National Tea Co., from Chicago, Ill., and that it was adulterated in violation of the Food and Drugs Act. The article in the first lot above referred to, contained in jars, was labeled: "Hazel Brand Pure Apple Butter Net Weight 2 lbs. 6 oz. Prepared with evaporated Fruit Distributed by Geo. Rasmussen Co. Quality Grocers Chicago, Minneapolis, Milwaukee, Des Moines." The article in the second lot above referred to, contained in jars, was labeled: "Hazel Brand Pure Apple Butter Net Weight 2 lbs. 6 oz. Prepared with Evaporated Fruit Distributed by Geo. Rasmussen Co. Quality Grocers Chicago, Minneapolis, Milwaukee, Des Moines." The article in the third lot above referred to, contained in 14-ounce jars, was labeled: "Hazel Brand Apple Butter Prepared with Evaporated Fruit Sterling Products Co. Inc. Chicago, Ill."

The article in each of the three lots was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On or about April 25, 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.*