Certain of the products were alleged to be misbranded in that the statements on the labels, "A–1 Semolina," "Semolina Products," "Egg Noodles," and "Made of Durum Semolina," were false and misleading and tended to deceive and mislead the purchaser when applied to articles colored with annato, and in the case of one lot of egg noodles, deficient in egg; in the case of one lot, in that the statement borne on the front of the case, "Net Weight 5 lbs," was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short weight; and in the case of certain lots, in that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On October 11, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28108. Adulteration of apples. U. S. v. 38 Baskets of Apples. Default decree of condemnation and destruction. (F. & D. No. 40381. Sample No. 58656–C.)

This product was contaminated with lead.

On September 23, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 38 baskets of apples at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 22, 1937, from Glassboro, N. J., by R. E. Zimmerman, 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, lead, which might have rendered it harmful to health.

On October 9, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28109. Adulteration of apples. U. S. v. 63 Baskets of Apples. Default decree of condemnation and destruction. (F. & D. No. 40405. Sample No. 37390–C.)

This product was contaminated with lead.

On September 22, 1937, 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 63 baskets of apples at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about September 21, 1937, from Vineland, N. J., by H. Ellis, 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 ingredient, lead, which might have rendered it injurious to health.

On October 9, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

28110. Adulteration and misbranding of alleged olive oil. U. S. v. 27 Cans of Olive Oil. Default decree of condemnation and destruction. (F. & D. No. 39704. Sample No. 20389–C.)

This product consisted essentially of an edible oil other than olive oil, containing little or no olive oil. It was also short in volume.

On June 9, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 27 cans of olive oil at West Stockbridge, Mass., alleging that the article had been shipped in interstate commerce on or about September 26, 1936, from Waterbury, Conn., by the Brass City Paper Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Net Contents One Gallon Pure Olive Oil Fior d'Italia Brand Guaranteed Imported From Lucca-Italy V. Bressi Bros."

The article was alleged to be adulterated in that an oil other than olive oil had been mixed and packed with it so as to reduce or lower its quality or strength and had been substituted for olive oil, which it purported to be; and in that it had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged in that the following statements and designs, "Net Contents One Gallon Pure Olive Oil Fior d'Italia," design of landscape showing an olive tree and women gathering olives, "Guaranteed Imported from Lucca-