

Misbranding was alleged in that the statement "Horseradish" was false and misleading and tended to deceive and mislead the purchaser, and in that it was offered for sale under the distinctive name of another article.

On October 26, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29578. Adulteration of apples. U. S. v. 33 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 44055. Sample Nos. 32742-D, 32743-D.)

This product was contaminated with arsenic and lead.

On August 18, 1938, 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 33 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 14, 1938, by South Haven Fruit Exchange from South Haven, 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, arsenic and lead, which might have rendered it harmful to health.

On September 23, 1938, the consignee having consented to its destruction, judgment of condemnation was entered and the product was ordered destroyed.

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

29579. Adulteration of apples. U. S. v. 17 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 43933. Sample No. 24719-D.)

This product was contaminated with arsenic and lead.

On September 7, 1938, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 17 bushels of apples at Kansas City, Mo.; alleging that the article had been shipped in interstate commerce on or about September 1, 1938, by Robert Tamblyn from Springdale, 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 October 1, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29580. Adulteration of apples. U. S. v. 6 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. No. 43810. Sample No. 32722-D.)

This product was contaminated with arsenic and lead.

On August 12, 1938, 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 6 bushels of apples at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about August 9, 1938, by Jochem Bros. from Bridgman, 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, arsenic and lead, which might have rendered it harmful to health.

On September 23, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

29581. Adulteration of butter. U. S. v. Talbot-Woods & Kelly Butter Co., Inc. Plea of guilty. Fine, \$10. (F. & D. No. 42560. Sample No. 21753-D.)

This product contained less than 80 percent of milk fat.

On August 26, 1938, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Talbot-Woods & Kelly Butter Co., Inc., trading at Kansas City, Kans., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about May 2, 1938, from the State of Kansas into the State of Illinois of a quantity of butter which was adulterated.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a