

**2902. Adulteration of apples. U. S. v. 528 Bushels, 520 Bushels, 522 Bushels, and 515 Bushels of Apples. Consent decrees of condemnation. Product ordered released under bond to be reconditioned.** (F. D. C. Nos. 6209, 6220, 6318, 6319. Sample Nos. 71109-E, 71110-E, 73255-E, 73458-E.)

On October 31, 1941, the United States attorney for the Southern District of Iowa filed libels against 1,048 bushels of apples at Des Moines, Iowa, which had been consigned by the Schaper Products Co. from Valley City, Ill., on or about October 15 and 16, 1941. On November 15, 1941, the United States attorney for the Western District of Missouri filed libels against 1,037 bushels of apples at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about September 17 and 20, 1941, by Schaper Products Co. from Valley City, Ill.

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

On November 19 and 25, 1941, Schaper Products Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be reconditioned by cleansing or peeling.

**2903. Adulteration of apples. U. S. v. 2,825 Crates of Apples (and 10 other seizure actions against apples). Decrees of condemnation. Portion of product ordered destroyed; remainder ordered released under bond for removal of deleterious substances.** (F. D. C. Nos. 6162 to 6165, incl., 6331 to 6333, incl., 6335 to 6337, incl., 6377. Sample Nos. 58174-E, 58175-E, 71062-E, 71064-E, 71071-E to 71073-E, incl., 71521-E, 71526-E, 71527-E, 71530-E, 73456-E.)

On or about October 29 and November 4, 6, 15, and 22, 1941, the United States attorneys for the Eastern District of Missouri and the District of Kansas filed libels against 4,107 crates and 2,134 baskets of apples at Hannibal, Mo., and 440 bushels of apples at Kansas City, Kans., alleging that the article had been shipped within the period from on or about September 11 to on or about October 17, 1941, from Payson and Fall Creek, Ill., by Seymour Orchards, except one shipment in the name of H. M. Seymour. On or about November 12, 1941, the United States attorney for the Northern District of Iowa filed a libel against 24,000 pounds of apples at Waterloo, Iowa, which had been shipped by the Seymour Orchards on or about October 27, 1941.

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

On December 2, 1941, no claimant having appeared for the apples seized at Waterloo, Iowa, judgment of condemnation was entered and the product was ordered destroyed. On November 3 and 22 and December 9, 1941, the claimants for the apples seized at Hannibal, Mo., and Kansas City, Kans., having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond conditioned that all deleterious substances be removed therefrom under the supervision of the Food and Drug Administration.

**2904. Adulteration of apples. U. S. v. 50 Boxes of Apples. Default decree of condemnation. Product ordered delivered to charitable institutions.** (F. D. C. No. 6528. Sample No. 87264-E.)

This product contained an excessive amount of lead.

On December 4, 1941, the United States attorney for the Southern District of West Virginia filed a libel against 50 40-pound boxes of apples at Charleston, W. Va., alleging that the article had been shipped in interstate commerce on or about November 6, 1941, by Stadelman Fruit Co. from Wenatchee, Wash.; and charging that it was adulterated in that it contained an added poisonous or deleterious substance, namely, lead, which might have rendered it injurious to health. The article was labeled in part: (Boxes) "Ex. Fancy \* \* \* Rome Beauty \* \* \* Packed by B. M. C. Fruit Co. Inc. Wenatchee, Washington Stadelman's \* \* \* Extra Fancy."

On December 19, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to charitable institutions on condition that the apples be washed and cleaned as prescribed by the Food and Drug Administration.