

It was alleged to be misbranded in that the statement "In Olive Oil" was false and misleading, in one case as applied to an article which was packed in an oil consisting largely of oil other than olive oil, and in the other cases as applied to an article that was packed in a mixture of cottonseed and olive oil.

On August 6, September 24 and October 3, 1942, Francis H. Leggett & Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

## FRUITS AND VEGETABLES

### FRESH FRUITS

**3942. Adulteration of apples. U. S. v. 224 Boxes of Apples. Default decree of condemnation and destruction.** (F. D. C. No. 6385. Sample No. 37589-E.)

On December 2, 1941, the United States attorney for the Northern District of Georgia filed a libel against 224 40-pound boxes of apples at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 1, 1941, by Mojonner & Sons, Inc., from Wenatchee, Wash.; and charging that it was adulterated in that it bore or contained poisonous and deleterious substances which might have rendered it injurious to health, i. e. lead and arsenic. The article was labeled in part "Blue Mountain Brand Apples."

On April 7, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

Nos. 3943 to 3953 report the seizure and disposition of blueberries that contained maggots.

**3943. Adulteration of blueberries. U. S. v. 37 Crates and 51 Crates of Blueberries. Default decrees of condemnation and destruction.** (F. D. C. Nos. 8092, 8125. Sample Nos. 17006-F, 17926-F, 17932-F.)

On July 29 and August 1, 1942, the United States attorney for the Southern District of New York filed a libel against 88 crates, each containing 24 quarts, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 25 and 30, 1942, by Michael (or Mike) Kunderack from St. Clair, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance. It was labeled in part: "Sunny Mountain Brand Sweet Berries."

On August 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3944. Adulteration of blueberries. U. S. v. 4 Crates of Blueberries. Default decree of condemnation and destruction.** (F. D. C. No. 8093. Sample No. 17927-F.)

On July 29, 1942, the United States attorney for the Southern District of New York filed a libel against 4 crates, each containing 24 quarts of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 26, 1942, by A. McAloose & Son, from Kelayres, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance.

On August 14, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3945. Adulteration of blueberries. U. S. v. 20 Crates of Blueberries. Default decree of condemnation and destruction.** (F. D. C. No. 8091. Sample No. 17925-F.)

On July 29, 1942, the United States attorney for the Southern District of New York filed a libel against 20 crates, each containing 24 quarts, of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 25, 1942, by S. Merook, from Mahanoy City, Pa.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed vegetable substance. It was labeled in part: "Schuylkill County Pennsylvania Fancy Blueberries."

On August 14, 1942, no claimant having appeared, judgment of condemnation was entered, and the product was ordered destroyed.