

and March 26, 1932, by McKercher & Ross, from Wenatchee, Wash., and had been transported from the State of Washington into the State of Minnesota, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Bull's-Eye Brand Northwestern Apples."

It was alleged in the libels that the article was adulterated in that it contained an added poisonous or other added deleterious ingredient which might have rendered it injurious to health.

On April 12 and May 3, 1932, a claimant having appeared and filed answers admitting all the material allegations of the libels, judgments of condemnation and forfeiture were entered. The court having found that the article might be washed or dipped so as not to be in violation of the food and drugs act, ordered that the marshal, in lieu of disposing of the apples by sale or destruction, might deliver them to the claimant, upon payment of costs and the execution of bonds totaling \$2,000, conditioned in part that they should not be sold or disposed of contrary to the provisions of the food and drugs act and all other laws.

HENRY A. WALLACE, *Secretary of Agriculture.*

19817. Adulteration of candies. U. S. v. 17 Boxes of Candies. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27269. I. S. No. 45815. S. No. 5409.)

This action involved the interstate shipment of a quantity of candy, in which a hard marble was embedded and concealed in each piece.

On November 21, 1931, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 17 boxes of candies, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped in interstate commerce on or about February 5, 1931, by the Standard Candy Co., from Nashville, Tenn., to Meridian, Miss., and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Standard Candy Co.'s * * * Fine Candies Standard Candy Co., Nashville, Tenn., Purity Brand Candies * * * Champion M. M. Marbles."

It was alleged in substance in the libel that the article had been shipped in interstate commerce in violation of the section and paragraph of the act applicable to confectionery, in that it contained an ingredient, namely, hard marbles, deleterious or detrimental to health. It was further alleged that the article was in violation of the section and paragraph of the act applicable to food, in that it contained an added deleterious ingredient which might have rendered it injurious to health.

On May 1, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HENRY A. WALLACE, *Secretary of Agriculture.*

19818. Adulteration of apples. U. S. v. 630 Boxes of Apples. Decree of condemnation and forfeiture. Product released under bond to be washed or dipped. (F. & D. No. 28023. I. S. No. 53478. S. No. 6043.)

Arsenic was found on samples of apples taken from the shipment involved in this action.

On April 2, 1932, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 630 boxes of apples, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about March 22, 1932, by Ned Derry, from Wenatchee, Wash., to Minneapolis, Minn., and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Boxes) "Bull's Eye Brand Northwestern Apples."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous or other deleterious ingredient which might have rendered it injurious to health.

On April 6, 1932, Leon K. Stein & Co., Minneapolis, Minn., having filed a claim and answer admitting all the material allegations of the libel, judgment of condemnation and forfeiture was entered. The court having found that the article might be brought into compliance with the food and drugs act by removal of the arsenic by washing, ordered that it be released to the said claimant for