

leading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the product was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect. Misbranding was alleged for the further reason that the article was canned food, and fell below the standard of fill of container promulgated by the Secretary of Agriculture for such canned food, since the product was slack-filled because of excessive brine, and the package or label did not bear a plain and conspicuous statement indicating that it fell below such standard. On December 15, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20504. Adulteration of apples. U. S. v. 46 Bushels of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29317. Sample no. 5049-A.)

This action involved the interstate shipment of a quantity of apples that were found to bear arsenic in an amount which might have rendered the article injurious to health.

On October 28, 1932, the United States attorney for the Southern District of Illinois, 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 46 bushels of apples at Peoria, Ill., alleging that the article had been shipped in interstate commerce on or about October 20, 1932, by R. G. Beckwith, from Benton Harbor, Mich., to Peoria, Ill., and charging adulteration in violation of the Food and Drugs Act.

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

On December 14, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20505. Adulteration of cauliflower. U. S. v. 10 Crates, et al., of Cauliflower. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29266, 29328, 29635. Sample nos. 12655-A, 13323-A, 18429-A.)

These actions involved the interstate shipments of quantities of cauliflower that bore arsenic and lead in amounts which might have rendered the article injurious to health.

On October 15, 1932, the United States attorney for the Western District of Texas, 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 18 crates of cauliflower at Austin, Tex. On or about October 18, 1932, the United States attorney for the Southern District of Texas filed libels against 10 crates of cauliflower at Corpus Christi, Tex., and 27 crates at Galveston, Tex. It was alleged in the libels that the article had been shipped in interstate commerce in part on or about October 1, 1932, and in part on or about October 5, 1932, by the Rocky Mountain Produce Co., from Denver, Colo., and that it was adulterated in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it contained added poisonous and deleterious ingredients, arsenic and lead, which ingredients might have rendered the product injurious to health.

On November 18, December 2, and December 9, 1932, no claim having been entered in the cases, nor answers filed to the various libels, judgments of condemnation and forfeiture were entered, and it was ordered by the courts that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20506. Adulteration of apples. U. S. v. 710 Boxes of Apples. Default decree of condemnation and destruction. (F. & D. no. 29637. Sample no. 18037-A.)

This action involved the interstate shipment of a quantity of apples that bore arsenate of lead in an amount which might have rendered them injurious to health.

On November 16, 1932, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the District