

**20840. Misbranding of canned black raspberries. U. S. v. Fredonia Salsina Canning Co., Inc. Plea of guilty. Fine, \$25. (F. & D. no. 28135. I. S. no. 40487.)**

This case was based on an interstate shipment of canned black raspberries, sample cans of which were found to contain less than the weight declared on the label.

On August 29, 1932, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States an information against the Fredonia Salsina Canning Co., Inc., a corporation, Fredonia, N.Y., alleging shipment by said company in violation of the Food and Drugs Act, on or about July 20, 1931, from the State of New York into the State of Illinois, of a quantity of canned black raspberries that were misbranded. The article was labeled in part: "Contents 6 Lbs. 10 Ozs. Sky Lark Brand \* \* \* Black Raspberries Packed By Fredonia Salsina Canning Co., Inc., Fredonia, N.Y."

It was alleged in the information that the article was misbranded in that the statement "Contents 6 Lbs. 10 Ozs.", borne on the can labels, was false and misleading, and for the further reason that the article was labeled so as to deceive and mislead the purchaser, since each of a number of the cans contained less than 6 pounds and 10 ounces of the article.

On March 15, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

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

**20841. Adulteration of apples. U. S. v. 108 Boxes of Apples. Decree of destruction entered. (F. & D. no. 29913. Sample nos. 22031-A, 22032-A.)**

This case involved an interstate shipment of apples that were found to bear lead in an amount that might have rendered them injurious to health.

On February 17, 1933, 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 a libel praying seizure and condemnation of 108 boxes of apples at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce, on or about January 16, 1933, by H. T. Trunkey and H. S. Wolfe, from Wenatchee, Wash., to Minneapolis, Minn., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Boxes) "Fancy Sta'n Winesap 40 Wolf Brand Wenatchee District Apples Sorensen-Ryan [or "Trunkey-Wolfe Co., Inc."] Wenatchee, Wash."

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

On April 15, 1933, the claimant having waived all rights in the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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

**20842. Adulteration of apples. U. S. v. 84 Boxes of Apples. Default decree of destruction. (F. & D. no. 30091. Sample no. 34185-A.)**

This action involved an interstate shipment of apples that were found to bear lead in an amount that might have rendered them injurious to health.

On or about March 16, 1933, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 84 boxes of apples at Hot Springs, Ark., alleging that the article had been shipped in interstate commerce on or about January 17, 1933, by the Sunnyslope Fruit Exchange, from Wenatchee, Wash., to Hot Springs, Ark., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Wenoka Apples \* \* \* Sunnyslope Fruit Exchange, Wenatchee, Washington."

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

On April 7, 1933, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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