

Bama Co., from Birmingham, Ala., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was invoiced and labeled on the case: "Sweet-Um Assorted Jam." The jars were labeled in part: "Sweet-Um * * * Mixture of Pectin—Sugar Syrup 45% Pineapple, [etc.] Jam 55% The Bama Co., Birmingham, Ala."

The article was alleged to be adulterated in that a mixture of sugar, acid, pectin, and water had been mixed and packed with the article so as to reduce, lower, or injuriously affect its quality; in that a mixture of fruit, sugar, acid, pectin, and water containing less fruit than jam had been substituted for jam; and in that a mixture of sugar, acid, pectin, and water had been mixed with the article in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that the statement on the shipping case, "Sweet-Um Assorted Jam", was false and misleading and tended to deceive and mislead the purchaser; and in that it was an imitation of and offered for sale under the distinctive name of another article, jam.

On May 23, 1936, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the article be disposed of as the law directs.

M. L. WILSON, *Acting Secretary of Agriculture.*

25994. Adulteration of chili pods. U. S. v. 24 Boxes of Chili Pods. Default decree of condemnation and destruction. (F. & D. no. 37215. Sample no. 59133-B.)

This case involved a shipment of chili pods that contained excessive arsenic.

On February 18, 1936, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 boxes of chili pods at Coffeyville, Kans., alleging that the article had been shipped in interstate commerce on or about October 19, 1935, by W. H. Booth & Co., from Santa Ana, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Booth's Keno Brand Mexican Chili Pods W. H. Booth Co. Inc., Santa Ana, Calif."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, arsenic, which might have rendered it injurious to health.

On June 23, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25995. Adulteration of chili pepper. U. S. v. 3 Barrels of Chili Pepper. Default decree of condemnation and destruction. (F. & D. no. 37218. Sample no. 41646-B.)

This case involved a shipment of chili pepper that contained an excessive amount of arsenic.

On February 17, 1936, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three barrels of chili pepper at San Antonio, Tex., alleging that the article had been shipped in interstate commerce on or about December 26, 1935, by the Western Warehouse Co. for the account of C. L. Prats Chili Co., from Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Net Two Hundred Apache Brand Chili Pepper Scobey Storage Co., San Antonio, Texas."

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, arsenic, which rendered the product injurious to health.

On June 2, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25996. Misbranding of shelled pecans. U. S. v. 18 Cases of Shelled Pecans. Default decree of forfeiture and destruction. (F. & D. no. 37220. Sample no. 43861-B.)

This case involved shelled pecans contained in a package that had a cardboard false bottom. The net weight was inconspicuously declared on the side of the package and was partly obscured by a ribbon.

On February 19, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the

district court a libel praying seizure and condemnation of 18 cases of shelled pecans at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 17, 1936, by the Southland Pecan Co., Inc., from Columbus, Ga., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Sticker on one side of package) "Fresh Gold Medal Shelled Nuts Net Wt. 6 oz. when packed Southland Pecan Co. Inc. Columbus, Ga., U. S. A."

The article was alleged to be misbranded in that its package bore a device, namely, a cardboard false bottom, which was misleading in that the package did not contain the quantity of food it purported to contain; and in that the article was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On June 29, 1936, no claimant having appeared, judgment of forfeiture was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25997. Adulteration of apple butter. U. S. v. 15 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. no. 37222. Sample no. 32466-B.)

This case involved a shipment of apple butter that contained an added poisonous or deleterious ingredient, lead.

On February 18, 1936, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 cases of apple butter at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about January 18, 1936, by the American Syrup & Sorghum Co., from St. Louis, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Country Club Brand Apple Butter."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On June 3, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25998. Adulteration of apple butter. U. S. v. 24 Cases, 106 Cases, and 18 Cases of Apple Butter. (F. & D. no. 37225. Sample nos. 52718-B, 52734-B, 52744-B.)

This case involved interstate shipments of apple butter that was found to contain excessive lead.

On February 19, 1936, the United States attorney for the Southern District of Iowa filed in the district court a libel, and on April 6, 1936, an amendment thereto, said libel as amended praying seizure and condemnation of one lot of 24 cases, a second lot of 106 cases, and a third lot of 18 cases of apple butter, at Des Moines, Iowa, alleging that the article had been shipped in interstate commerce on or about November 23 and 29 and December 7, 1935, by the National Tea Co., from Chicago, Ill., and that it was adulterated in violation of the Food and Drugs Act. The article in the first lot above referred to, contained in jars, was labeled: "Hazel Brand Pure Apple Butter Net Weight 2 lbs. 6 oz. Prepared with evaporated Fruit Distributed by Geo. Rasmussen Co. Quality Grocers Chicago, Minneapolis, Milwaukee, Des Moines." The article in the second lot above referred to, contained in jars, was labeled: "Hazel Brand Pure Apple Butter Net Weight 2 lbs. 6 oz. Prepared with Evaporated Fruit Distributed by Geo. Rasmussen Co. Quality Grocers Chicago, Minneapolis, Milwaukee, Des Moines." The article in the third lot above referred to, contained in 14-ounce jars, was labeled: "Hazel Brand Apple Butter Prepared with Evaporated Fruit Sterling Products Co. Inc. Chicago, Ill."

The article in each of the three lots was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On or about April 25, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*