

27592. Adulteration and misbranding of boiled cider. U. S. v. 14 Cases of Boiled Pure Apple Cider. Default decree of condemnation and destruction. (F. & D. No. 39200. Sample No. 23970-C.)

This product contained excessive arsenic and lead, and the bottle label failed to bear a statement of the quantity of the contents.

On April 5, 1937, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 cases of boiled cider at Missoula, Mont., alleging that the article had been shipped in interstate commerce on or about November 2, 1936, by Keller-Lorenz Co. from Spokane, Wash., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottles) "Pure Juice Autumn Crushing K-L Boiled Pure Apple Cider Keller-Lorenz Co. Spokane, Wash. Net 1 [the word 'Gallon' had been scratched]." The bottles actually were 12-ounce size.

The article was alleged to be adulterated in that it contained added poisonous and other deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

It was alleged to be misbranded in that the statements "Pure Juice" and "Pure Apple Cider" were false and misleading and tended to deceive and mislead the purchaser when applied to an article containing deleterious ingredients, arsenic and lead; misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 18, 1937, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

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

27593. Adulteration of canned huckleberries. U. S. v. 51 Cases of Huckleberries. Default decree of condemnation and destruction. (F. & D. No. 39201. Sample No. 36131-C.)

This product was worm- and insect-infested.

On April 5, 1937, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 cases of canned huckleberries at Helena, Mont., alleging that the article had been shipped in interstate commerce by the National Fruit Canning Co. from Seattle, Wash., on or about November 14, 1936, and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: (Cans) "Real Fruit Brand Water Pack Huckleberries * * * Packed by National Fruit Canning Co., Seattle, Wash."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid substance.

On June 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27594. Adulteration of butter. U. S. v. 8 Cases of Butter. Default decree of condemnation and destruction. (F. & D. No. 39216. Sample No. 22591-C.)

This product contained less than 80 percent of milk fat.

On January 27, 1937, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cases of butter at Danville, Va., alleging that the article had been shipped in interstate commerce on or about January 18, 1937, by the Piedmont Creamery Co. from Statesville, N. C., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: (Carton) "Faultless Kind * * * Danville Dairy Products Co., Danville, Va." The remainder was labeled: (Case) "Danville Dairy Prod. Danville, Va."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, which should contain not less than 80 percent of milk fat.

On February 23, 1937, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

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