

21174. Adulteration of apples. U. S. v. 297 Boxes and 35 Boxes of Apples. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 30438, 30487. Sample nos. 27913-A, 27915-A.)

These cases involved shipments of apples found to bear arsenic and lead in amounts which might have rendered them injurious to health.

On April 10 and April 17, 1933, the United States attorney for the Northern District of California, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 332 boxes of apples at San Francisco, Calif., alleging that the article had been shipped in interstate commerce, on or about March 27, 1933, by Skookum Packers Association, from Wenatchee, Wash., and charging adulteration in violation of the Food and Drugs Act. The articles was labeled in part: "Skookum Fancy Mountain Goat Brand Wenatchee Apples Grown, Packed and Shipped by Wenatchee Skookum Growers Wenatchee, Wash."

It was alleged in the libels that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On May 3, 1933, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

21175. Adulteration of evaporated apple chops. U. S. v. 477 Bags of Evaporated Apple Chops. Product released under bond. Subsequent order of condemnation and destruction entered. (F. & D. no. 29854. Sample no. 26993-A.)

This case involved an interstate shipment of evaporated apple chops which were in part insect-infested and filthy.

On February 14, 1933, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 477 bags of evaporated apple chops at Orrville, Ohio, alleging that the article had been shipped in interstate commerce, on or about January 13, 1933, by the Battletown Fruit Co., from Staunton, Va., 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 consisted wholly or in part of a filthy vegetable substance.

The Battletown Fruit Co., Staunton, Va., entered an appearance and admitted the allegations of the libel, consented to the entry of a decree, and prayed release of the product under bond. On May 2, 1933, an order was entered permitting release of the goods to the claimant under bond in the sum of \$1,200, conditioned that it be brought into compliance with the law under the supervision of this Department. On October 14, 1933, the claimant having been unable to comply with the terms of the bond, judgment of condemnation was entered and it was ordered by the court that the product be destroyed and the bond canceled.

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