

On July 12, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cases of canned corn at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 22, 1932, by the Lawrence Wholesale Co., from Bricelyn, Minn., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Leader Brand Fancy Crosby Corn * * * Packed by Bricelyn Canning Co. Bricelyn, Minn."

It was alleged in the libel that the article was adulterated in that a substance, namely, corn below the grade indicated on the label, had been substituted in whole or in part for Fancy grade canned corn.

Misbranding was alleged for the reason that the statement on the label, "Fancy", was false and misleading and deceived and misled the purchaser.

On September 28, 1933, 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.

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

21370. Adulteration of vinegar. U. S. v. 80 Barrels, et al., of Vinegar. Default decree of condemnation and destruction. (F. & D. no. 30600. Sample no. 31265-A.)

This case involved a shipment of vinegar which was found to contain arsenic and lead in amounts which might have rendered the article injurious to health.

On June 15, 1933, 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 80 barrels, 50 half-barrels, 20 kegs of vinegar, and 100 cases of bottled vinegar at Havre, Mont., alleging that the article had been shipped in interstate commerce on or about March 14, 1933, by the Speas Manufacturing Co., from Spokane, Wash., and charging adulteration in violation of the Food and Drugs Act.

The bottled vinegar was labeled in part: "Speas Pure Cider Vinegar." The portion contained in kegs and barrels was labeled in part: "Speas Manufacturing Company * * * Pure Cider Vinegar."

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

On September 25, 1933, no claimant having appeared for the property, judgment of condemnation was 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.*

21371. Misbranding of walnut meats and hazelnuts. U. S. v. 5 Cases of Walnut Meats, et al. Consent decrees of condemnation and forfeiture. Products released under bond. (F. & D. nos. 30655, 30656, 30755. Sample nos. 37267-A, 37269-A, 37423-A.)

Examination of samples of the walnut meats and hazelnuts involved in these cases showed that the packages contained less than 8 ounces, the declared weight.

On July 1 and July 20, 1933, the United States attorney for the Eastern District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 14 cases of walnut meats and 10 cases of hazelnuts at Spokane, Wash., alleging that the articles had been shipped in interstate commerce in various shipments on or about November 11, November 23, and December 2, 1932, by the Dundee Walnut Association, in part from Portland, Oreg., and in part from Dundee, Oreg., and charging misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Net Weight 8 Ozs. Norpac Walnut Meats [or "Hazelnuts"]." Portions were further labeled: "North Pacific Nut Growers Cooperative."

It was alleged in the libels that the articles were misbranded in that the statement on the labels, "Net Weight 8 Ozs.", was false and misleading and deceived and misled the purchaser, and for the further reason that the articles were 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.

On September 18, 1933, the North Pacific Nut Growers Cooperative Association, claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the