

24574. Adulteration and misbranding of apples. U. S. v. Emmor Roberts. Plea of guilty. Fine, \$10. (F. & D. no. 33931. Sample no. 5829-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health. The baskets containing the article were not labeled to show the quantity of the contents.

On March 21, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Emmor Roberts, Moorestown, N. J., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about July 18, 1934; from the State of New Jersey into the State of Pennsylvania of a quantity of apples which were adulterated and misbranded.

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

Misbranding was alleged for the 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 April 5, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$10.

W. R. GREGG, *Acting Secretary of Agriculture.*

24575. Adulteration of apples. U. S. v. Edward A. Mechling (E. A. Mechling). Plea of guilty. Fine, \$10. (F. & D. no. 33933. Sample nos. 5806-B, 5811-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On March 22, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Edward A. Mechling, trading as E. A. Mechling, Moorestown, N. J., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about July 17 and July 18, 1934, from the State of New Jersey into the State of Pennsylvania of quantities of apples which were adulterated. The article was labeled in part: "N. J. Dilks & Co. Dividing Creek N. J."

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

On April 5, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$10.

W. R. GREGG, *Acting Secretary of Agriculture.*

24576. Misbranding of candy. U. S. v. George Haas & Sons. Plea of guilty. Fine, \$100. (F. & D. no. 33948. Sample no. 53201-A.)

Sample packages of candy taken from the shipment involved in this case were found to contain less than 1 pound, the weight declared on the label.

On April 22, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George Haas & Sons, a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about June 6, 1934, from the State of California into the State of Nevada of a quantity of candy invoiced as "Velvet Chews" which was misbranded. The article was labeled in part: "Geo. Haas & Sons San Francisco Net Weight 1 Pound."

The article was alleged to be misbranded in the statement, "Net Weight 1 Pound", borne on the carton, was false and misleading, and for the further reason that it was labeled so as to deceive and mislead the purchaser, since the cartons contained less than 1 pound net of the article. 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, since the packages contained less than declared.

On May 2, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$100.

W. R. GREGG, *Acting Secretary of Agriculture.*