been shipped in interstate commerce on or about December 1, 1936, and January 19, 1937, by the Meredith Fish Co., from Sacramento, Calif., and charging adulteration in violation of the Food and Drugs Act. The product originally was shipped by the San Juan Fishing & Packing Co., but was returned by the Meredith Fish Co. A portion of the article was labeled: (Box) "Genuine Alaska Codfish Packed by San Juan Fishing & Packing Co. Seattle, Washington."; (shipping tag) "San Juan Fish Co. Seattle Wash From Meredith Fish Co. * * * Sacramento, Calif."; (retail package) "Genuine Alaska Codfish Packed by San Juan Fishing & Packing Co." The remainder was labeled: "Meredith Fish Co. Sacramento, Calif. Codfish Rolls."

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

On March 18, 1937, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

27124. Misbranding of shelled pecans. U. S. v. 37 Cases and 12 Cases of Shelled Pecans. Decrees of condemnation. Portion of product destroyed; remainder released under bond for repacking and relabeling. (F. & D. nos. 39054, 39055. Sample nos. 12276–C, 22702–C.)

The packages containing this product had a false bottom and consequently did not contain the amount of food indicated by the size of the package. The statement of the quantity of the contents appeared on a label attached to the bottom of the package.

On February 5 and February 8, 1937, the United States attorneys for the District of Massachusetts and the Northern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 12 cases of shelled pecans at Boston, Mass., and 37 cases of shelled pecans at Atlanta, Ga., alleging that they had been shipped in interstate commerce in part on or about October 5, 1936, by the Southern Pecan Shelling Co., from San Antonio, Tex., and in part on or about January 4, 1937, by the Merchants Refrigerating Co., from New York, N. Y., for the Southern Pecan Shelling Co., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Pasted on bottom of box) "Southern Belle Pecans Southern Pecan Shelling Co. San Antonio, Texas 7 Oz."

It was alleged to be misbranded in that the package was slack-filled and bore a device, namely, a false bottom consisting of crumpled paper, which was misleading since 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 since the weight statement appeared on a label affixed to the bottom of the package.

On March 6, 1937, no claimant having appeared for the lot seized at Atlanta, Ga., judgment of condemnation was entered and it was ordered that the lot be destroyed. On March 26, 1937, the Southern Pecan Shelling Co. having appeared as claimant for the lot seized at Boston, Mass., and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be repacked and properly labeled.

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

27125. Adulteration of apples. U. S. v. 30 Boxes of Apples. Default decree of condemnation and destruction. (F. & D. no. 39214. Sample no. 3943–C.)

These apples were contaminated with lead.

On February 27, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 boxes of apples at San Francisco, Calif., alleging that they had been shipped in interstate commerce on or about February 21, 1937, by L. A. Wilcox, from Medford, Oreg., and charging adulteration in violation of the Food and Drugs Act.

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 April 1, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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