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

On December 4, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26699. Adulteration of apples. U. S. v. 21 Bushels of Apples. Default decree of condemnation and destruction. (F. & D. no. 38429. Sample no. 12479-C.)

This case involved apples that were contaminated with lead and arsenic.

On or about October 6, 1936, the United States attorney for the Southern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 21 bushels of apples at Evansville, Ind., alleging that the article had been shipped in interstate commerce on or about September 12, 1936, by the Kentucky Cardinal Orchard from Henderson, Ky., and charging adulteration in violation of the Food and Drugs Act.

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

On December 17, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26700. Adulteration of butter. U. S. v. 18 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 38432. Sample no. 6400-C.)

This case involved a shipment of butter that contained less than 80 percent by weight of milk fat.

On October 3, 1936, 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 18 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about July 24, 1936, by the Mandan Creamery & Produce Co., from Mandan, N. Dak., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat, as provided for by the act of March 4, 1923.

On December 4, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

26701. Misbranding of vanilla flavor. U. S. v. 39, 52, and 59 Bottles of Vanilla Flavor. Default decree of condemnation and destruction. (F. & D. no. 38440. Sample no. 18257-C.)

This case involved imitation vanilla flavor which was not labeled plainly to inform purchasers of its true nature.

On October 21, 1936, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of thirty-nine 8-ounce bottles, fifty-two 4-ounce bottles, and fifty-nine 2-ounce bottles of vanilla flavor at Washington, Pa., alleging that the article had been shipped in interstate commerce on or about June 23, 1936, by C. H. Griest from Wheeling, W. Va., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Ecco Brand Vanilla Flavor Artificial * * * Distributed by Earle Chemical Co., Wheeling, W. Va."

The article was alleged to be misbranded in that the statement "Vanilla Flavor" and the device of qualifying this prominent name with the word "Artificial" in very much smaller type, were false and misleading and deceived and misled the purchaser since the word "Artificial" in comparison with the outstanding designation "Vanilla Flavor" did not plainly reveal the true nature of the article and the average purchaser would expect to receive real vanilla flavor.

On December 28, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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