On August 6, August 24, October 26, and November 25, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

26350. Adulteration of evaporated apples. U. S. v. 28 Boxes of Evaporated Apples. Default decree of condemnation. Product ordered to be delivered to charitable institutions. (F. & D. no. 37842. Sample no. 70583-B.)

This case involved evaporated apples that contained excessive moisture.

On June 30, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 28 boxes of evaporated apples at Norristown, Pa., alleging that the article had been shipped in interstate commerce by M. O. Engleson & Co., on or about March 28, 1936, from Williamson, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Prime Engleson Brand Evaporated Apples Sulphur Dioxide Added. Packed by M. O. Engleson & Co., Williamson, N Y., U. S. A."

The article was alleged to be adulterated in that a product containing excessive water had been substituted for evaporated apples, which the article purported to be.

On July 24, 1936, no claimant having appeared, judgment of condemnation was entered ordering that the product be turned over to some charitable institutions.

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

26351. Adulteration and misbranding of egg noodles. U. S. v. 50 Cases of Egg Noodles. Default decree of condemnation and destruction. (F. & D. no. 37844. Sample no. 69650-B.)

This case involved a product containing no egg, which was colored with tartrazine, a yellow dye, and was sold as egg noodles. The retail package bore no statement of the quantity of contents.

On July 3, 1936, 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 50 cases, each containing 42 packages of egg noodles at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about May 29 and June 6, 1936, by Hinode Macaroni Co., Ltd., from Honolulu, Hawaii, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The packages were labeled in part: (Translation from Japanese) "Egg Noodles Honolulu Manufactured by Hinode Noodle Mfg. Co." The shipping carton was labeled in part: "Hinode Macaroni Factory N. Hotel St. Honolulu, T. H. * * * Net 35 Lbs."

The article was alleged to be adulterated in that it was colored in a manner whereby inferiority was concealed.

The article was alleged to be misbranded in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On October 24, 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.*

26352. Adulteration of butter. U. S. v. 9 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 37854. Sample no. 62163-B.)

This case involved butter that contained mold, larvae, rodent hair, and other extraneous matter.

On June 26, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of nine tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 15, 1936, by Land O'Hills Creamery from Buckhannon, W. Va., and charging adulteration in violation of the Food and Drugs Act.

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 July 15, 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.*