The article was alleged to be misbranded in that the statement on the label "3 Ounces", was false and misleading and tended to deceive and mislead the purchaser, and in that it 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 quantity stated was not correct.

On March 31, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be turned over to a charitable or relief organization, or that it be destroyed.

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

25900. Adulteration of pecans. U. S. v. 109 Sacks of Pecans. Default decree of condemnation and destruction. (F. & D. no. 36715. Sample no. 52236–B.)

This case involved an interstate shipment of pecans which were in part moldy and rancid.

On December 5, 1935, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 109 sacks of pecans at New Orleans, La., alleging that the article had been transported in interstate commerce on or about December 1, 1935, by Joseph Talerico, from Albany, Ga., and that it was adulterated 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 decomposed vegetable substance.

On January 16, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25901. Adulteration of apples. U. S. v. 37 Crates of Apples. Default decree of condemnation and destruction. (F. &. D. no. 36739. Sample no. 47840–B.)

This case involved an interstate shipment of apples examination of which showed the presence of arsenic and lead which might have rendered them injurious to health.

On October 17, 1935, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 37 crates of apples at South Bend, Ind., alleging that the article had been shipped in interstate commerce on or about October 13, 1935, by Tom Johnston, from Watervliet, Mich., and that it was adulterated in violation of the Food and Drugs Act.

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

On January 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the apples be destroyed.

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

25902. Adulteration of shucked oysters. U. S. v. 3 Barrels of Shucked Oysters. Default decree of condemnation and destruction. (F. & D. no. 36751. Sample no. 52033–B.)

This case involved an interstate shipment of shucked oysters which were found to contain excessive water.

On December 7, 1935, 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 3 barrels containing 326 pint cans of shucked oysters at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about December 4, 1935, by Roaring Point Oyster Co., from Nanticoke, Md., and that it was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that water had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and in that excessive water had been substituted in part for the said article.

On January 7, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the oysters be destroyed.

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