into the State of Kansas of a quantity of wheat gray shorts and wheat screenings which were misbranded.

The article was labeled in part: "100 Lbs. Net Washburn's Gold Medal Feeds. Washburn's Gold Medal Wheat Gray Shorts and Wheat Screenings, not exceeding 8% Washburn Crosby Co. Kansas City, Mo. of General Mills, Inc. Minneapolis, Minn. Guaranteed Analysis * * * Fibre, not more than 6.0%."

The article was alleged to be misbranded in that the statement, "Guaranteed Analysis * * * Fibre not more than 6.0%", borne on the label, was false and misleading, and for the further reason that the article, by reason of said statement, was labeled so as to deceive and mislead the purchaser, since the statement represented that the article contained not more than 6 percent of fiber; whereas the article contained more than 6 percent of fiber, namely, 7.82 percent.

On September 7, 1935, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of $50 and costs.

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

25201. Adulteration of apple butter. U. S. v. 50 Cases of Apple Butter. Default decree of condemnation and destruction. (F. & D. no. 36104. Sample no. 33331–B.)

Examination of the apple butter involved in this case showed the presence of lead and arsenic trioxide in amounts that might have rendered it injurious to health.

On August 6, 1935, the United States attorney for the Eastern District of Michigan, acting on a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 cases of apple butter at Detroit, Mich., alleging that the article had been shipped in interstate commerce on or about June 21, 1935, by the Allison-Bedford Co., from Chicago, Ill., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Glencrest Pure Apple Butter * * * Allison-Bedford Co. Chicago, Ill."

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

On September 3, 1935, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

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

25202. Misbranding of cream of tartar, black pepper, and paprika. U. S. v. 33 Cans of Cream Tartar, 372 Cans of Black Pepper, and 141 Cans of Paprika. Default decree of condemnation, forfeiture, and destruction. (F. & D. nos. 35845, 35846, 35847. Sample nos. 32547–B, 32548–B, 32549–B.)

This case involved an interstate shipment of cream of tartar, black pepper, and paprika, the packages of which were short in weight.

On August 1, 1935, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 33 cans of cream of tartar, 372 cans of black pepper, and 141 cans of paprika at St. Louis, Mo., alleging that the articles had been shipped in interstate commerce on or about February 1, March 1, and May 1, 1935, respectively, by the Temson Products Co., from Chicago, Ill., and that they were misbranded in violation of the Food and Drugs Act. The articles were labeled, respectively, in part; "Very Best Brand Pure Ground Products Cream Tartar 3 Ozs. Benaco Products Chicago, Ill."; "Very Best Brand Pure Ground Spices Black Pepper Price 35¢ Net Weight 3 Ounces Benaco Products Chicago, Ill."; and "Very Best Brand Pure Ground Spices Paprika Price 35¢ Net Weight 2½ Ounces Benaco Products Chicago, Ill."

The articles were alleged to be misbranded in that the statements on the labels, "3 Ozs.", or "Net Weight 3 Ounces", and "Net Weight 2½ Ounces", respectively, were false and misleading and tended to deceive and mislead the purchaser, and in that the quantity of the contents of the packages was not plainly and conspicuously marked on the outside thereof, since the quantity stated was not correct.

On September 10, 1935, no claimant having appeared, judgment of condemnation and forfeiture was entered and it was ordered that the product be destroyed.

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