court a libel praying seizure and condemnation of 38 bushels of apples at Marion, Ind., alleging that the article had been shipped in interstate commerce on or about September 23, 1934, by John R. Bowman, from Watervliet, Mich., 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 harmful to health.

On March 20, 1935, 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.*

24395. Misbranding of canned black-eyed peas and canned red beans. U. S. v. Thrift Packing Co. Plea of guilty. Fine, $25. (F. & D. no. 33877. Sample nos. 63795–A, 63796–A.)

This case was based on an interstate shipment of short-weight canned goods.

On January 10, 1935, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Thrift Packing Co., a corporation, Dallas, Tex., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about September 8, 1933, from the State of Texas into the State of Oklahoma, of quantities of canned black-eyed peas and canned red beans which were misbranded. The articles were labeled, respectively: "Thrift Brand Net Wt. 15½ oz. * * * Black-Eyed Peas Thrift Packing Co. Dallas, Texas"; "Thrift Brand Net Weight 1 Pound * * * Red Beans Thrift Packing Co. Dallas, Texas."

The articles were alleged to be misbranded in that the statements, "Net Wt. 15½ oz." and "Net Weight 1 Pound", borne on the labels, were false and misleading, and for the further reason that the articles were labeled so as to deceive and mislead the purchaser, since the cans contained less than so declared. Misbranding was alleged for the further reason that the articles were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On January 11, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of $25.

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

24396. Adulteration of canned shrimp. U. S. v. 196 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 34378. Sample no. 58–B.)

This case involved an interstate shipment of canned shrimp which was found to be in part decomposed.

On November 28, 1934, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 196 cases of canned shrimp at Denver, Colo., consigned by the Biloxi Canning & Packing Co., Biloxi, Miss., alleging that the article had been shipped in interstate commerce on or about September 17, 1934, from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Silver Brand Shrimp. * * * Packed for and fully guaranteed by the Morey Mercantile Co., Colorado."

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

On February 15, 1935, 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.*

24397. Adulteration of canned spinach. U. S. v. 48 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. & D. no. 34379. Sample no. 20148–B.)

This case involved an interstate shipment of canned spinach, samples of which were found to contain worms, cocoons, beetles, and other extraneous matter.

On November 15, 1934, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 cases of canned spinach at Tacoma, Wash., alleging that the article had been shipped