branding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Jar) "Royalty of the Table Kerr Apple Butter Kerr Conserving Co. Portland, Oregon Cont. One Quart."; (case) "One Doz. Quarts."

The article was alleged to be misbranded in that the statements, "Cont. One Quart" and "One Doz. Quarts", borne on the jar and case, respectively, were false and misleading and tended to deceive and mislead the purchaser; and in that the article 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 statement made was incorrect.

On October 6, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

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

23178. Adulteration of cherries. U. S. v. 175 Baskets, et al., of Cherries. Default decrees of condemnation and destruction. (F. & D. nos. 33214, 33215, 33218. Sample nos. 5784–B, 5785–B, 5824–B, 5825–B.)

Examination of the cherries involved in these cases showed the presence of arsenic and lead in one lot and lead in the other two.

On July 26 and July 27, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 593 baskets of cherries at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce, in part on or about July 24, 1934, by A. Sutterland, and in part on or about July 26, 1934, by H. Sutterland, from Interlaken, N. Y., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, namely, arsenic and lead in one lot and lead in the other two lots, which might have rendered it harmful to health.

On August 29, 1934, 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.*

23179. Adulteration of cherries. U. S. v. 98 Baskets of Cherries. Default decree of condemnation and destruction. (F. & D. no. 33217. Sample no. 5823–B.)

This case involved an interstate shipment of cherries which contained an excessive amount of lead.

On July 27, 1934, 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 condemnationn of 98 baskets of cherries at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 27, 1934, by Yale Farms, from Romulus, N. Y., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On August 29, 1934, 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.*

23180. Adulteration of seedless raisins. U. S. v. 65 Boxes of Seedless Raisins. Default decree of destruction. (F. & D. no. 33254. Sample no. 3654–B.)

This case involved a shipment of seedless raisins that contained live and dead larvae, beetles, and other filth.

On August 14, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 65 boxes of seedless raisins at Rochester, Minn., alleging that the article had been shipped in interstate commerce, on or about February 6, 1934, by the Vagim Packing Co., from Fresno, Calif., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On October 15, 1934, no claimant having appeared, judgment was entered ordering that the product be destroyed.

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