

On February 24, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3077. Adulteration of apples. U. S. v. 36 Boxes of Apples. Default decree of condemnation. (F. D. C. No. 6665. Sample No. 49492-E.)

This product bore spray residue containing lead.

On or about December 26, 1941, the United States attorney for the Northern District of Texas filed a libel against 36 boxes of apples at Dallas, Tex., alleging that the article had been shipped in interstate commerce on or about November 19, 1941, by Independent Whse. Co., from Dryden, Wash.; and charging that it was adulterated in that it contained an added poisonous and deleterious substance, namely, lead, in an amount that might have rendered it injurious to health. The article was labeled in part: "Icicle Brand Washington Apples."

On January 30, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3078. Adulteration of apples. U. S. v. 27 and 12 Boxes of Apples. Consent decree of condemnation and destruction. (F. D. C. No. 6666. Sample No. 66920-E.)

This product contained added arsenic and lead.

On December 23, 1941, the United States attorney for the Northern District of Illinois filed a libel against 39 boxes of apples at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 8, 1941, from Yakima, Wash., by the W. E. Roche Fruit Co.; and charging that it was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health. The article was labeled in part: "Ex Fancy Jonathan * * * Yak Brand."

On January 20, 1942, the consignee having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

3079. Adulteration of huckleberries. U. S. v. 196 Cases of Canned Huckleberries (and 3 additional seizure actions against huckleberries.) Default decrees of condemnation and destruction. (F. D. C. Nos. 6112, 6136, 6187, 6763. Sample Nos. 60897-E, 60902-E, 60920-E, 60987-E.)

This product contained worms and insect fragments.

Between October 31, 1941, and January 26, 1942, the United States attorneys for the District of Oregon and the Northern District of California filed libels against 302 cases of canned huckleberries at Portland, Oreg., 42 cases at Eugene, Oreg., and 30 cases at San Francisco, Calif., alleging that the article had been shipped in interstate commerce within the period from on or about October 14, 1941, to on or about December 10, 1941, by the Midfield Packers in part from Olympia, Wash., to Portland, Oreg., and in part from Portland, Oreg., to San Francisco, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: (Can) "Moon-Winks Brand Water Pack Huckleberries"; or "Midfield Brand Water Pack Huckleberries."

On February 20 and March 9, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

3080. Misbranding of lingon berries. U. S. v. 16 Cartons of Lingon Berries. Consent decree of condemnation. Product released under bond for relabeling. (F. D. C. No. 6697. Sample No. 63434-E.)

This product was short of the declared weight, and its label failed to bear an ingredient statement.

On January 14, 1942, the United States attorney for the Western District of Washington filed a libel against 16 cartons of lingon berries at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about December 15, 1941, by the Scandia Commercial Co. from San Francisco, Calif.; and charging that it was misbranded. The article was labeled in part: (Jars) "Scandia Brand Imported Preserved Lingon Berries * * * 16 Ozs. Net."

It was alleged to be misbranded in that the statement on the label, "16 Ozs. Net," was false and misleading as applied to an article that was short weight; (2) in that it was in package form and its label did not bear an accurate statement of the quantity of contents; and (3) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

On February 27, 1942, the Nordic Baking & Importing Co., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.