

3756. Adulteration and misbranding of apples. U. S. v. 14 Barrels * * * of Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6013. I. S. No. 1109-k. S. No. E-142.)

On October 20, 1914, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, a libel for the seizure and condemnation of 14 barrels, more or less, of apples, remaining unsold in the original unbroken packages at Washington, D. C., charging that the product was being offered for sale in the District of Columbia, and that it was adulterated and misbranded in violation of the Food and Drugs Act. Each of the barrels was labeled: "Virginia G. A. C. G. A. Cook Fancy."

Adulteration of the product was alleged in the libel for the reason that the same consisted in whole or in part of filthy and decomposed fruit. Misbranding was alleged for the reason that the labels on the barrels bore statements regarding such article, which statements were false and misleading in that said labels bore the statement "Virginia Fancy," whereas, in truth and in fact, said apples were culls, containing a considerable proportion of decayed fruit.

On January 18, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *April 24, 1915.*