

5307. Adulteration of canned apples. U. S. * * * v. 318 Cases of Canned Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7754. I. S. No. 1695-m. S. No. E-698.)

On October 10, 1916, the United States attorney for the district of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district a libel for the seizure and condemnation of 318 cases of canned apples, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by W. E. Robinson & Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Fawn Grove Brand Apples Contents 5 lbs. 10 oz. or over packed for Jas. T. Smith, Fawn Grove, Penna."

It was charged in the libel that the article was adulterated for the reason that practically all the cans were swells and leakers, and the said product contained therein was decomposed.

On November 17, 1916, 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.

R. A. PEARSON, *Acting Secretary of Agriculture.*