

5333. Adulteration of canned apples. U. S. * * * v. 72 Cases of Canned Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7798. I. S. No. 2941-m. S. No. E-716.)

On October 24, 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 72 cases of canned apples, consigned on or about August 2, 1916, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Armour & Co., East Liverpool, Ohio, and transported from the State of Ohio into the State of Maryland, and alleging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fawn Grove Brand Apples * * * Packed for Jas. T. Smith, Fawn-grove, Pa."

Adulteration of the article was alleged in the libel for the reason that a large proportion of the cans were swells and leakers, and the product contained therein was decomposed.

On December 7, 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.*