

5217. Adulteration of canned apples. U. S. * * * v. 50 Cases of Apples * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7589. I. S. No. 8994-m. S. No. E-671.)

On July 22, 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 50 cases, each containing 12 cans of apples, consigned on July 13, 1916, and remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Musselman Canning Co., Biglerville, 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 in part: "Mountain Side Apples" (or "Musselman's Choice Apples") "Packed by The Musselman Canning Co., Biglerville, Pa."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and that a very large percentage of the cans were swells and leakers.

On October 4, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*