

On March 17, 1928, no claimant having appeared for the property, judgment of the court was entered finding the product adulterated and ordering that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15698. Adulteration of figs. U. S. v. 350 Boxes of Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22636. I. S. No. 25432-x. S. No. 669.)

On March 13, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 350 boxes of dried figs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Habich Braun & Co., from New York, N. Y., November 17, 1927, and transported from the State of New York into the State of Illinois, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "E. F. E. Brand, * * * Pulled Figs, Packed by M. Nazini, Topjoglou, Smyrna, Turkey."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 27, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15699. Adulteration of apples. U. S. v. 26000 Pounds of Winesap Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21363. I. S. No. 848-x. S. No. C-3046.)

On or about November 12, 1926, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 26,000 pounds of winesap apples at Garden City, Kans., alleging that the article had been shipped by C. F. Schoening from Fruitvale, Colo., on or about October 28, 1926, and had been transported from the State of Colorado into the State of Kansas, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it contained an added poisonous ingredient, to wit, arsenic trioxide, which rendered it injurious to health.

On January 31, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15700. Adulteration and misbranding of butter. U. S. v. 57 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 22685. I. S. No. 21898-x. S. No. 686.)

On March 14, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 57 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Land O'Lakes Creamery, Inc., Minnesota Transfer, Minn., on or about March 2, 1928, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On March 27, 1928, the Great Atlantic & Pacific Tea Co., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,824, conditioned in part that it be reworked so as to contain at least 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*