

**3837. Adulteration of evaporated prunes. U. S. \* \* \* v. 11 and 12 Boxes \* \* \* of Evaporated Prunes. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 6368. I. S. No. 1772-k. S. No. E-230.)

On March 12, 1915, 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 for the seizure and condemnation of 11 boxes, each containing 50 pounds, and 12 boxes, each containing 25 pounds, of evaporated prunes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the product had been shipped on or about February 24, 1915, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The containers of the product were labeled: (On end) "Italian Style Prunes 480-40-50". (On one side) "52-57004-64". (On bottom) "Union Packing and Exporting Co., 52 Harrison St., New York, N. Y. Prepaid".

It was alleged in the libel that the product was adulterated in violation of section 7, paragraph 6, under the title "Food" of said act, in that said product consisted in whole or in part of filthy, putrid, and decomposed vegetable substance, particularly in that said product was covered with sugar mites, live and dead, excreta and dead insects, together with their larvæ.

On April 1, 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.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 11, 1915.*