

**4122. Adulteration of evaporated apples. U. S. \* \* \* v. 50 Boxes \* \* \* of Evaporated Apples. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6039. I. S. No. 11525-k. S. No. C-107.)**

On October 27, 1914, the United States attorney for the Eastern District of Texas, 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 boxes, each containing about 50 pounds of evaporated apples, remaining unsold in the original unbroken packages at Palestine, Tex., alleging that the product had been shipped and transported from the State of Arkansas into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The product was labeled, in part: "Fancy Evaporated Apples. New Crop. \* \* \* Bleached with sulphur. Preserved with one-tenth of one percent of Benzoate of Soda."

Adulteration of the article was alleged in the libel for the reason that 15 per cent of water was added to the apples after drying, when the goods were packed in such manner as to reduce and lower the quality and strength of the said food product.

On May 5, 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.*