

On September 13, 1919, 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.

E. D. BALL, *Acting Secretary of Agriculture.*

7520. Adulteration of canned apples. U. S. * * * v. 1200 Cases of Canned Apples. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 11113, 11114. I. S. No. 2538-r. S. No. W-472.)

On August 25, 1919, the United States attorney for the District of Colorado, 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 1,200 cases of canned apples, consigned by the Van Alen Canning Corp., Houston, Tex., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 28, 1919, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Banner Brand Apples Packed by Van Alen Canning Corpn., Ogden, Utah."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and decomposed fruit.

On November 24, 1919, the P. S. Hessler Mercantile Co. and the H. A. Marr Grocery Co., Denver, Colo., claimants, having filed claim as owners of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the article be released to said claimants, and that the unfit portion be destroyed, and that judgment be entered against the P. S. Hessler Mercantile Co. for two-thirds of the costs of the proceedings and against the H. A. Marr Grocery Co. for one-third of the costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7521. Adulteration of prunes. U. S. * * * v. 85 Boxes of Prunes. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 11101. I. S. No. 2536-r. S. No. W-467.)

On August 22, 1919, the United States attorney for the District of Colorado, 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 85 boxes of prunes, consigned by the California Packing Corp., Fresno, Calif., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about May 22, 1919, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Oro Brand Prunes Packed by California Packing Corp.," and "Par Excellence Brand Prunes."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and contained many living larvæ, cocoons, and weevils, with much débris and excreta, and was unfit for human food.

On October 28, 1919, 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 sold by the United States marshal at private sale, but not to be sold or used for human food.

E. D. BALL, *Acting Secretary of Agriculture.*