

condemnation of 42 boxes of evaporated apples, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by E. B. Holton, Webster, N. Y., December 5, 1924, and transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Daisie Brand Choice Wood Dried Evaporated Ring Apples Packed By E. B. Holton, Webster, N. Y."

Adulteration of the article was alleged in the libel for the reason that a substance, excessive moisture, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding of the article was alleged for the reason that the statement "Evaporated Apples" was false and misleading and deceived and misled the purchaser, and for the further reason that it was offered for sale under the distinctive name of another article.

On April 29, 1925, E. B. Holton, Webster, N. Y., having appeared as claimant for the property, judgment of condemnation 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 \$500, in conformity with section 10 of the act, conditioned in part that it be properly relabeled.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13767. Adulteration of shell eggs. U. S. v. 432 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20405. I. S. No. 1404-x. S. No. C-4807.)**

On August 7, 1925, 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 the seizure and condemnation of 432 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by L. R. Vogt, from Bedford, Iowa, August 4, 1925, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

During the month of August, 1925, H. C. Christians Co., Chicago, Ill., 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled under the supervision of this department, the bad portion destroyed, and the good portion released.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**13768. Adulteration of shell eggs. U. S. v. 360 Cases of Eggs. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20404. I. S. No. 1256-x. S. No. C-4802.)**

On August 5, 1925, 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 the seizure and condemnation of 360 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by B. A. Oesterich, from Lemmon, S. Dak., on or about July 30, 1925, and transported from the State of South Dakota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

During the month of August, 1925, B. A. Oesterich, Lemmon, S. Dak., 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 \$1,000, in conformity with section 10 of the act, conditioned in part that it be candled under the supervision of this department, the bad portion destroyed, and the good portion released.

C. F. MARVIN, *Acting Secretary of Agriculture.*