

and condemnation of 8 barrels of dressed chickens at Chicago, Ill., alleging that the article had been shipped by the United States Cold Storage, from Kansas City, Mo., July 17, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance, in that it contained emaciated, badly bruised, green, and insufficiently bled birds of a tumorous condition, and diseased fowls that died otherwise than by slaughter.

On March 19, 1929, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16348. Misbranding and alleged adulteration of apple butter. U. S. v. 19 Cases of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22861. I. S. No. 26285-x. S. No. 925.)

On July 6, 1928, the United States attorney for the Eastern 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 19 cases of apple butter, remaining in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped by the L. Maull Co., from St. Louis, Mo., on or about May 25, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Somore Brand Pure Apple Butter * * * Packed by Louis Maull Co., Food Products, St. Louis, Mo."

It was alleged in the libel that the article was adulterated in that a substance, to wit, arsenic, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength; for the further reason that apple butter containing artificial color had been substituted wholly or in part for pure apple butter which the said article purported to be; for the further reason that the article was colored in a manner whereby damage or inferiority was concealed; and for the further reason that a substance, to wit, arsenic, had been added which might have rendered the article injurious to health.

Misbranding was alleged for the reason that the designation "Pure Apple Butter" was false and misleading and deceived and misled the purchaser when applied to a product containing artificial color and arsenic, and for the further reason that the article was offered for sale under the distinctive name of another article, pure apple butter.

On May 6, 1929, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16349. Adulteration and misbranding of sweet pickles and sweet relish. U. S. v. 9 Cases of Sweet Pickles, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22855. I. S. Nos. 26276-x, 26278-x. S. No. 911.)

On July 6, 1928, the United States attorney for the Eastern 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 9 cases of sweet pickles and 5 cases of sweet relish at West Frankfort, Ill., alleging that the articles had been shipped by Limerick's Wholesale Grocery from St. Louis, Mo., on or about June 7, 1928, and transported from the State of Missouri into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act. The articles were labeled in part, respectively: "Top Notch Brand Sweet Pickles 7 Oz. Avoir. Packed by L. Maull Co. Food Products St. Louis, Mo.;" "Somore Brand * * * Sweet Relish * * * Packed by L. Maull Co. Food Products St. Louis, Mo."

It was alleged in the libel that the articles were adulterated in that a substance, saccharin, mixed in a manner whereby damage or inferiority was concealed, had been substituted wholly or in part for the articles, and had been mixed and packed therewith so as to reduce, lower, or injuriously affect their