

commerce, on or about December 16, 1935, by the Nevada Poultry Co., from Nevada, Iowa, to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Barrel) "4426—228 229 21 207 Chicks."

Adulteration of the article was charged under the allegation (a) that it consisted in whole or in part of a decomposed animal substance; and (b) under the allegation that it was a product of diseased animals.

On March 2, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25752. Adulteration of dressed poultry. U. S. v. 12 Boxes, et al., of Dressed Poultry. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36886. Sample nos. 48149-B, 48150-B, 48201-B.)

Decomposed poultry was present in this shipment which was a product of diseased animals.

On December 23, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 boxes and 5 barrels of dressed poultry at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about December 13, 1935, by the Independence Produce Co., from Independence, Iowa, to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Card tacked on barrel or box) "'Unclassified' Dressed Poultry. The poultry in this package must be inspected by an accredited inspector before being offered for sale, and only that part of it which is approved by such inspector shall be permitted to move into consumptive channels. * * * From Independence Produce Co., Independence, Iowa. * * * 29 SY 80 26 HY 75 Member Institute of American Poultry Industries 255—16 238."

Adulteration of the article was charged (a) under the allegation that it consisted in whole or in part of a decomposed animal substance; (b) under the allegation that it was the product of diseased animals.

On February 28, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25753. Adulteration and misbranding of apple butter. U. S. v. 14 Dozen Bottles of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36887. Sample no. 55379-B.)

This product was insect-infested and was made of dried apples.

On January 4, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 dozen bottles of apple butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce by Holsum Products, on or about October 3, 1935, from Cleveland, Ohio, to Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Cyrilla Brand Net Wt. 10½ Oz. Pure Apple Butter."

Adulteration of the product was charged under the allegation that it consisted in whole or in part of a filthy vegetable substance.

Misbranding of the product was charged (a) under the allegations that the label bore the statement, to wit, "Pure Apple Butter", that the said statement was false and misleading and tended to deceive and mislead the purchaser when applied to dried apple butter; (b) under the allegation that the product was offered for sale under the distinctive name of another article.

On March 2, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

W. R. GREGG, *Acting Secretary of Agriculture.*

25754. Adulteration of tomato ketchup. U. S. v. 6 Cases of Tomato Ketchup. Default decree of condemnation and destruction. (F. & D. no. 36893. Sample no. 44041-B.)

This case involved tomato ketchup that contained excessive mold.

On December 27, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six cases of tomato ketchup at Brockton, Mass., alleging that the article had been shipped in