

**4079. Adulteration of evaporated apples. U. S. \* \* \* v. 50 Boxes of so-called Evaporated Apples. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5798. I. S. No. 9186-h. S. No. C-56.)

On or about July 3, 1914, the United States attorney for the Northern 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 50 pounds of so-called evaporated apples, remaining unsold in the original unbroken packages at Dallas, Tex., alleging that the product had been shipped on or about June 4, 1914, and transported from the State of Missouri into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Sunset Brand Evaporated or Dried Product of Apples, prepared with salt water and sulphur fumes, U. S. Government Registration, 1908, by J. W. Teasdale & Company, at Washington, D. C. No. 12243 New Crop Faultless blending of American Apples."

It was alleged in the libel that an analysis of official samples of the evaporated apples by the United States Bureau of Chemistry, made under the direction of the Secretary of Agriculture, showed that said apples had a moisture content of 31.3 per cent; that they were of poor stock, containing an excessive amount of water which had been mixed and packed with said evaporated apples in such manner as to reduce, lower, and injuriously affect their quality and strength, said so-called evaporated apples being adulterated in violation of section 7, paragraph 1, under "Food," Food and Drugs Act, being an act of Congress of the United States approved June 30, 1906.

On January 30, 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.

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

WASHINGTON, D. C., *November 20, 1915.*