14270. Adulteration of canned sardines. U. S. v. 465½ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 20434 to 20440, incl. I. S. Nos. 1827-x, 1831-x, 1832-x, 1834-x, 1836-x, 19790-v, 19792-v. S. Nos. C-5025, C-5026.)

On September 15, 1925, the United States attorney for the Eastern District of Kentucky, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 465½ cases of sardines, remaining in the original packages in various lots at Ashland, Greenup, Russell, and Paintsville, Ky., respectively, consigned by the Maine Cooperative Sardine Co., alleging that the article had been shipped in interstate commerce from St. Andrews, N. B., Canada, into the State of Kentucky, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "American Sardines In Cottonseed Oil, Packed at Eastport, Washington Co., Me., By L. D. Clark & Son * * * Banquet Brand."

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

On May 12, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

14271. Adulteration of shell eggs. U. S. v. 385 Cases, et al., of Eggs. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20996 to 21000, incl. I. S. Nos. 12138-x to 12142-x, incl. S. Nos. C-5057 to C-5061, incl.)

On March 19, 1926, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 1,604 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the J. E. Brewer Produce Co., from Abilene, Kans., between the dates of March 13 and 20, 1925, and transported from the State of Kansas 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.

On April 3, 1926, the Town Stores 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, and the bad portion destroyed and the good portion released.

W. M. JARDINE, *Secretary of Agriculture.*

14272. Misbranding and alleged adulteration of evaporated apples. U. S. v. 258 Boxes and 260 Boxes of Evaporated Apples. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 20845. I. S. Nos. 1280-x, 1281-x. S. No. C-4950.)

On February 11, 1926, 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 seizure and condemnation of 518 boxes of evaporated apples, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by the Standard Apple Products, Inc., from Red Creek, N. Y., October 27, 1925, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: "50 Lbs. Net La Perla" (or "Victor") "Evaporated Apples Sulphured Packed By Standard Apple Products Inc., Rochester, N. Y."

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

Misbranding was alleged for the reason that the statement "50 Lbs. Net Evaporated Apples," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food