

It was alleged in the libel that the article was adulterated in that an imitation product other than apple vinegar had been mixed and packed with and substituted in part for the pure article and had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the above-quoted labels bore statements which were false and misleading and deceived and misled the purchasers, and in that the article was an imitation of and was offered for sale under the distinctive name of another article.

On May 6, 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.*

**16430. Misbranding and alleged adulteration of apple butter. U. S. v. 20 Cases of Apple Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22923. I. S. No. 01429. S. No. 989.)**

On July 27, 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 20 cases of apple butter, remaining in the original unbroken packages at Centralia, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., St. Louis, Mo., on or about May 5, 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 as amended. The said cases each contained a number of jars labeled in part: "Somore Brand Pure Apple Butter Net Weight 38 Ounces Packed By L. Maull Co., St. Louis, Mo." The cases were labeled in part: "1 Doz. 38 Oz. Apple Butter."

It was alleged in the libel that the article was adulterated in that the said cases contained a food product in which an artificial color had been mixed and packed with and substituted in part for the pure article, and in which the article had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the above-quoted labels bore statements which were false and misleading and deceived and misled the purchasers, and in that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

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

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16431. Adulteration of sweet pickles. U. S. v. 13¼ Cases of Sweet Pickles. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22894. I. S. No. 01427. S. No. 964.)**

On July 21, 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 13¼ cases of sweet pickles, remaining in the original unbroken packages at Harrisburg, Ill., alleging that the article had been shipped by the Louis Maull Co. Food Products Co., from St. Louis, Mo., on or about May 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. The article was labeled in part: "Top Notch Pickles One Quart Sweet Packed by L. Maull Co., St., Louis, Mo."

It was alleged in the libel that the article was adulterated in that a substance, to wit, saccharin, had been mixed and packed with the said article so as to reduce or lower or injuriously affect its quality or strength, and in that a deleterious ingredient, saccharin, had been added which might have rendered the article injurious to health.

On May 6, 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.*