

On June 5, 1913, the said J. G. Hagemeyer & Co., claimant, having admitted the allegations in the libels and consenting to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products should be surrendered and delivered to said claimant upon payment of the costs of proceedings and the execution of bond in the sum of \$3,000, in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 21, 1914.*

**3113. Adulteration and misbranding of canned peas. U. S. v. 735 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 5234, 5235, 5236. S. No. 1825.)

On May 26 and 27, 1913, the United States Attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 735 cases of canned peas remaining unsold in the original unbroken packages, 200 cases in the possession of J. T. Bothwell Grocer Co., 435 cases in possession of F. W. Coffin, and 100 cases in the possession of Frank Coffin, all of Augusta, Ga., alleging that the product had been shipped on or about March 24 and April 2, 1913, by S. H. Levin's Sons, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "2 dozen No. 2 cans Celtic Brand Peas packed from dried green peas by Alonzo Jones, Leipsic, Del." (On cans) "Celtic Brand Peas packed from dried green peas Celtic Brand, Alonzo Jones, Packer, Leipsic, Del. Contents: Peas, salt, sugar, and water." Each of said cans also bore a picture of fresh peas.

Adulteration of the product was alleged in the libels for the reason that each of the cans of peas contained peas abnormal in odor and taste, and contained bacteria, said peas consisting wholly or in part of a decomposing vegetable substance, and were unfit for food purposes. Misbranding was alleged for the reason that the labels on the cans of peas with the pictures of fresh peas in pods conveyed the impression that the contents of the cans were fresh green peas, and there was nothing appearing plainly and conspicuously upon the labels to correct said false impression and to show that the peas were not fresh or to show that they were sour.

On October 24, 1913, 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.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *May 21, 1914.*

**3114. Adulteration of canned salmon. U. S. v. 75 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5237. S. No. 1826.)

On May 26, 1913, the United States Attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on May 27, 1913, an amended libel, for the seizure and condemnation of 75 cases of canned salmon, remaining unsold in the original unbroken packages and in possession of the National Grocer Co., Louisville, Ky., alleging that the product had been shipped on December 11, 1912, by the Merchants National Grocer Co., St. Louis, Mo., and transported from the State of Missouri into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. It was alleged in the amended libel that of the 150 cases of canned salmon