

to indicate that the macaroni product was and purported to be a foreign product, when, in truth and in fact, said macaroni product was not a foreign product, but was produced in the United States of America.

On January 27, 1914, 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 sold by the United States marshal.

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

WASHINGTON, D. C., *May 26, 1914.*

**3216. Adulteration and misbranding of canned peas. U. S. v. 10 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 5408. S. No. 1976.)

On November 3, 1913, the United States Attorney for the Southern District of New York, 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 10 cases, each containing 2 dozen cans of peas, remaining unsold in the original unbroken packages and in possession of Thomas Stokes & Son, New York, N. Y., alleging that the product had been shipped on or about August 22, 1912, by S. H. Levin's Sons, Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (On cases) "2 doz. 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." (Pictorial representation of green peas on vine.)

Adulteration of the product was alleged in the libel for the reason that it consisted in part of decomposed vegetable matter, and, further, in that a substance had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, namely, that dried, soaked peas had been substituted for green peas in packing contrary to the provisions of section 7, subdivisions 1 and 6 under "Food" of said Food and Drugs Act. Misbranding was alleged for the reason that the expression "Packed from dried green peas," in small type against dark background on label, did not correct the misleading effect of the principal label.

On November 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 26, 1914.*

**3217. Adulteration of cheese. U. S. v. J. L. Kraft & Bros. Co. Plea of guilty. Fine, \$100 and costs.** (F. & D. No. 5412. I. S. No. 6729-e.)

On or about February 11, 1914, the United States Attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the J. L. Kraft & Bros. Co., an Illinois corporation doing business at Kansas City, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 11, 1913, from the State of Missouri into the State of Kansas, of a quantity of cheese which was adulterated. The product was labeled: "J. L. Kraft & Bros. Co., Kansas City, Mo. 37. Buechner Bros., Topeka, Kans. J. L. Kraft & Bros. Co. dealers in imported and domestic cheese. 357-359 River St., Chicago, Tel. Randolph 4851. Santa Fe."