

**4749. Adulteration of canned peas. U. S. \* \* \* v. 85 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7247. S. No. E-562.)

On March 15, 1916, 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 85 cases of canned peas, remaining unsold in the original packages at New York, N. Y., alleging that the article had been shipped by the National Grocer Co., Fall River, Mass., and transported from the State of Massachusetts into the State of New York, the shipment having been received on or about March 3, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Two Dozen No. 2 Hatchet Brand Banquet Peas Twitchell-Champlin Co., Portland, Maine and Boston, Mass."

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

On April 6, 1916, 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.

CARL VBOOMAN, *Acting Secretary of Agriculture.*