

in interstate commerce, on or about October 12, 1933, by Albert W. Sisk & Son, from Pocomoke City, Md., and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On June 22, 1934, Albert W. Sisk & Son, Preston, Md., having appeared as claimant for the property, judgment of condemnation was entered and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$750, conditioned that the unfit portion be segregated and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

22732. Adulteration of dried peaches. U. S. v. 250 Boxes of Dried Peaches. Decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 32295. Sample nos. 45477-A, 61983-A.)

This case involved a shipment of dried peaches that contained excessive moisture.

On March 10, 1934, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 250 boxes of dried peaches at New Orleans, La., alleging that the article had been shipped in interstate commerce, on or about January 30, 1934, by the Bonner Packing Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Standard Yellow Peaches Recleaned * * * Bonner Packing Co., Fresno, Calif."

It was alleged in the libel that the article was adulterated in that a product containing excessive moisture had been substituted for dried peaches, which the article purported to be.

On June 19, 1934, the Fraering Brokerage Co., Inc., New Orleans, La., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$826, conditioned that the moisture content be reduced to 26 percent, or less.

M. L. WILSON, *Acting Secretary of Agriculture.*

22733. Misbranding of canned peas. U. S. v. 30 Cases of Canned Peas. Default decree of condemnation and forfeiture. Product delivered to charitable or relief organization. (F. & D. no. 32303. Sample no. 67088-A.)

This case involved a shipment of canned peas which fell below the standard promulgated by the Secretary of Agriculture, because of the presence of excessive mature peas, and which were not labeled to indicate that they were substandard.

On March 17, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 cases of canned peas at Scranton, Pa., alleging that the article had been shipped in interstate commerce, on or about July 25, 1933, by the Snider Packing Co., from Canandaigua, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Apple Blossom Brand Tender Sweet Peas * * * Distributed by Geneseo Canning Co., Geneseo, N. Y."

It was alleged in the libel that the article was misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, because of the presence of an excessive number of hard peas, and its package or label did not bear a plain and conspicuous statement prescribed by regulation of this Department, indicating that it fell below such standard.

On June 28, 1934, 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 delivered to charitable or relief organizations.

M. L. WILSON, *Acting Secretary of Agriculture.*