

The Sego Milk Products Co., Preston, Idaho, appeared as claimant for the property and filed an answer admitting the allegations of the libel and praying permission to repack the product. On May 28, 1930, the claimant having paid costs of the proceedings, and executed a bond in the sum of \$500, conditioned upon compliance with an order of the court, on motion of the United States attorney, a decree was entered ordering release of the product to the claimant to be repacked and reconditioned, under the supervision of this department, so that it conform in all respects to Government regulations.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17495. Adulteration of canned spinach. U. S. v. 750 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 24729. I. S. No. 029825. S. No. 3082.)

Samples of the canned spinach from the herein-described interstate shipment having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Michigan.

On April 19, 1930, the United States attorney filed in the District Court of the United States aforesaid a libel praying seizure and condemnation of 750 cases of canned spinach at Detroit, Mich., alleging that the article had been shipped by H. F. Hemingway & Co., from Baltimore, Md., on or about August 11, 1927, and transported from the State of Maryland into the State of Michigan, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Hemingway's Anchor Branch Spinach \* \* \* Distributed by H. F. Hemingway & Co., Baltimore, Md."

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

On May 12, 1930, 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.*

**17496. Adulteration of canned tomatoes. U. S. v. 100 Cases of Canned Tomatoes. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 23145. I. S. No. 02381. S. No. 1245.)

Samples of canned tomatoes from the shipment herein described having been found to be decomposed, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Florida.

On October 13, 1928, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 cases of canned tomatoes, remaining in the original unbroken packages at Pensacola, Fla., alleging that the article had been shipped by Charles B. Silver, from North East, Md., on or about October 15 (October 19), 1925, and transported from the State of Maryland into the State of Florida, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Red Cross Brand \* \* \* Tomatoes Chas. B. Silver, Havre De Grace, Md."

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

On July 25, 1930, 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.*

**17497. Adulteration of canned unpeeled pie peaches. U. S. v. 125 Cases, et al., of Canned, Unpeeled Pie Peaches. Default decree of condemnation and destruction.** (F. & D. Nos. 24093-24098, incl. I. S. No. 010476. S. No. 2342.)

Samples of canned unpeeled pie peaches from the herein-described interstate shipment having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On September 6, 1929, the United States attorney filed in the District Court of the United States aforesaid libels praying seizure and condemnation of 950 cases of canned unpeeled pie peaches, remaining in the original unbroken packages at Natchez, Miss., alleging that the article had been shipped by the Evans Canning Co., from Fort Valley, Ga., on or about June 29, 1929, and had been transported from the State of Georgia into the State of Missis-