

purported to be a foreign product, whereas it consisted in large part of domestic cottonseed oil.

On January 29, 1934, Murray Mester, trading as the Modern Packing Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree condemning and forfeiting the property, judgment was entered ordering that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$100, conditioned in part that it be repacked in cans labeled to show its true nature.

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

**21964. Adulteration of canned shrimp. U. S. v. 900 Cases of Canned Shrimp. Decree of condemnation and forfeiture. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 31864. Sample no. 58806-A.)**

This case involved a shipment of canned shrimp that was found to be in part decomposed.

On January 19, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 900 cases of canned shrimp at Frankford, Pa., alleging that the article had been shipped in interstate commerce on or about October 14, 1933, by the DeJean Packing Co., Inc., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Frankford Brand Wet Pack Shrimp."

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

On January 29, 1934, the H. A. McGinniss Co. 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 \$3,000, conditioned that the unfit portion be segregated and destroyed under the supervision of this Department.

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

**21965. Adulteration and misbranding of dried peaches. U. S. v. 75 Cases and 50 Cases of Dried Peaches. Decrees of condemnation. Product released under bond. (F. & D. nos. 31887, 31888. Sample no. 39409-A.)**

These cases involved shipments of dried peaches which contained undeclared sulphur dioxide, and a portion of which contained excessive moisture.

On January 31, 1934, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 125 cases of dried peaches in part at Charlotte, N.C., and in part at Statesville, N.C., alleging that the article had been shipped in interstate commerce on or about December 20, 1933, by the Consolidated Packing Co., from San Francisco, Calif., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Matador Brand Selected California Choice [or "Standard"] California Peaches Packed by Consolidated Packing Co. San Francisco, California."

It was alleged in the libels that the portion of the article labeled "Standard", was adulterated in that a product containing excessive water and containing sulphur dioxide had been substituted for dried peaches, which the article purported to be.

Misbranding was alleged with respect to both lots for the reason that the article was labeled so as to deceive and mislead the purchaser, since the presence of added sulphur dioxide was not declared on the label.

On February 23, 1934, the Consolidated Packing Co. having filed a claim for the property and having admitted the allegations of the libels, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant upon the execution of a good and sufficient bond, conditioned that it be relabeled under the supervision of this Department, so that it comply with the law. The 25 cases of "Standard" peaches which contained excessive moisture were destroyed.

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