

**25746. Misbranding of peas. U. S. v. 100 Cases of Canned Peas. Default decree of condemnation and forfeiture, providing for delivery of the product to a charitable institution. (F. & D. no. 36871. Sample no. 50537-B.)**

This product contained an excessive proportion of mature peas, and was not labeled to indicate that it was substandard.

On December 28, 1935, 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 a libel praying seizure and condemnation of 100 cases of canned peas at New York City, N. Y., alleging that the article had been shipped in interstate commerce on or about October 4, 1935, by the Stevenson-Mairs Co., from Lewes, Del., to New York City, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Globe Brand Early June Peas Contents 1 Pound 4 Ounces Packed By Talbot Packing & Preserving Co., P. O. Easton, Md."

Misbranding of the article was charged under the allegations that it was canned food, that it contained an excessive number of mature peas, that it fell below the standard of quality and condition promulgated by the Secretary of Agriculture, and that its package or label did not indicate that it fell below such standard.

On February 11, 1936, no claimant having appeared, a default decree of condemnation and forfeiture was entered, providing that the United States marshal deliver the seized goods to a charitable institution.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25747. Adulteration of canned salmon. U. S. v. 392 Cartons of Canned Salmon. Consent decree of condemnation and forfeiture, providing for release of the product to the claimant for segregation and reconditioning under bond. (F. & D. no. 36875. Sample nos. 54596-B, 64941-B.)**

Decomposed salmon was present in this product.

On December 26, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 392 cartons of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce by the Annette Island Canning Co., on or about September 6, 1935, from Metlakatla, Alaska, to Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The cartons containing this product were unlabeled but the cases were marked "38.AP/S-."

Adulteration of the product was charged under the allegation that it consisted in whole or in part of a decomposed animal substance.

On January 8, 1936, the Annette Island Canning Co., claimant, consenting, a decree of condemnation and forfeiture was entered, providing for release of the product to the claimant for segregation and reconditioning upon furnishing bond in the sum of \$500.

W. R. GREGG, *Acting Secretary of Agriculture.*

**25748. Adulteration of canned salmon. U. S. v. 89 Cases of Canned Salmon. Default decree of condemnation and destruction. (F. & D. no. 36876. Sample nos. 54599-B, 64945-B.)**

This case involved an interstate shipment of canned salmon that was in part decomposed.

On or about December 26, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 89 cases of unlabeled pink salmon at Seattle, Wash., alleging that the article was shipped on or about June 29, 1935, by the Glacier Sea Foods Co., from Cordova, Alaska, and charging that the article was adulterated in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On June 10, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*