

lation of the Food and Drugs Act on or about May 23, 1938, from the State of California into the State of Maryland of a quantity of dried apricots that were adulterated. The article was labeled in part: "California Apricots for Manufacturing Purposes."

It was alleged to be adulterated in that it consisted in part of a filthy and decomposed vegetable substance.

On January 7, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30321. Adulteration and misbranding of dried peaches. U. S. v. 19 Cases of Dried Peaches. Consent decree of condemnation and destruction. F. & D. No. 44902. Sample No. 36793-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination, was found to be insect-infested. It also contained undeclared sulfur dioxide.

On February 24, 1939, the United States attorney for the District of Hawaii, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 19 cases of dried peaches at Honolulu, T. H.; alleging that the article had been shipped on or about February 14, 1939, by American Factors, Ltd., from San Francisco, Calif.; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Suni-Bel Brand Choice Peaches Packed by San Filippo Bros., Inc., San Jose, Calif."

Adulteration was alleged in that the article was infested with insects and contained undeclared sulfur dioxide.

It was alleged to be misbranded in that it was labeled so as to deceive and mislead the purchaser since the label failed to declare the presence of sulfur dioxide and gave the impression that it consisted of pure standard dried peaches.

On February 25, 1939, the shipper having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30322. Adulteration of frozen whole eggs. U. S. v. 155 Cans of Frozen Whole Eggs. Default decree of condemnation and destruction. (F. & D. Nos. 44850, 44851. Sample Nos. 20377-D, 20378-D, 20379-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages, at the time of examination, was found to be in part decomposed.

On February 15, 1939, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 155 cans of frozen whole eggs at Los Angeles, Calif.; alleging that the article had been shipped on or about November 16, 1938, by the Market Produce Co. from Shreveport, La.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted wholly or in part of a decomposed animal substance.

On March 9, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30323. Adulteration of frozen fish. U. S. v. 86 Boxes of Ocean Perch and 195 Cases of Whiting. Default decrees of condemnation and destruction. (F. & D. Nos. 44714, 44829. Sample Nos. 31126-D, 31131-D, 34824-D.)

These products had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination, a portion of the samples were found to show decomposition, and others, infestation with parasitic worms.

On January 23 and February 11, 1939, the United States attorneys for the Districts of Maryland and of Colorado, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 86 boxes of ocean perch at Baltimore, Md., and 195 cases of whiting at Denver, Colo., consigned by Gorton-Pew Fisheries Co.; alleging that the articles had been shipped in part on or about September 26, 1938, and in part on or about January 16, 1939, from Gloucester, Mass.; and