On May 19, 1937, C. H. Runciman, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it be relabeled.

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

27601. Adulteration and misbranding of canned corn. U. S. v. 54 Cases and 57 Cases of Corn. Product released under bond to be relabeled. (F. & D. Nos. 39567, 39568. Sample Nos. 31501–C, 31502–C.)

This product was labeled Fancy; whereas it was Standard grade—two grades lower than Fancy.

On May 7, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 111 cases of canned corn at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about January 20 and March 27, 1937, by the Milford Canning Co. from Milford, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Fancy Golden Bantam Sweet Corn [or "Fancy Whole Kernel Golden Bantam Corn"] The Milford Canning Co. Distributors Milford, Ill."

It was alleged to be adulterated in that corn below the grade indicated on the labels had been substituted in whole or in part for canned corn of Fancy grade, which it purported to be.

The article was alleged to be misbranded in that the statement on the labels, "Fancy," was false and misleading and tended to deceive and mislead the purchaser when applied to a product of Standard grade.

On May 28, 1937, the Milford Canning Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments were entered ordering that the product be released to the claimant under bond, conditioned that it be relabeled to conform to the grade contained in the cans.

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

27602. Adulteration of whiting. U. S. v. 250 Cases of Whiting. Default decree of condemnation and destruction. (F. & D. No. 39551. Sample No. 41472–C.)

This product was in whole or in part decomposed.

On April 30, 1937, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 250 cases of whiting at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about February 26, 1937, from Boston, Mass., by the American Fish Co., and charging adulteration in violation of the Food and Drugs Act.

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

On June 23, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27603. Misbranding of canned peas. U. S. v. 52 Cases and 180 Cases of Canned Peas. Decrees of condemnation. Portion of product destroyed; remainder released under bond to be relabeled. (F. & D. Nos. 39532, 39533. Sample Nos. 20513–C, 31995–C.)

This product fell below the standard for canned peas established by this Department because the peas were not immature, and it was not labeled to indicate that it was substandard.

On April 28 and 29, 1937, the United States attorneys for the District of Columbia and the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 52 cases of canned peas at Washington, D. C., and 180 cases of canned peas at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about January 19 and March 20, 1937, by the H. J. McGrath Co. from Baltimore, Md., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Swan Brand Early June Peas [or "McGrath's Early June Peas * * * Champion Brand"] * * * The H. J. McGrath Co. Baltimore, Md. Distributors."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agri-