the district court libels praying seizure and condemnation of 1,003 cases and 147 cans of tomato puree at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about June 8, 1935, by the Rio Grande Valley Canning Co., from Mission, Tex., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Valley Rose Brand Tomato Puree * * * Packed by Riona Products Co., Inc., McAllen, Texas." The remainder was labeled in part: "Puree A and F Brand Tomatoes * * * Packed and Shipped by Rio Grande Valley Canning Co., Edinburg, Texas."

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

On July 30, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

25186. Adulteration and misbranding of sirup. U. S. v. Three Drums of Maple Sirup. Default decree of condemnation and destruction. (F. & D. no. 35740. Sample no. 28802-B.)

This case involved a product consisting of a mixture of sugar sirup and maple sirup which was sold as pure maple sirup.

On July 11, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three drums of maple sirup at Wattsburg, Pa., alleging that the article had been shipped on or about April 25, 1935, by Alonzo L. Eastman and Harry H. Whitney, from Wattsburg, Pa., to North Clymer, N. Y., that it had been reshipped from North Clymer, N. Y., to Alonzo L. Eastman, Wattsburg, Pa., on or about June 10, 1935, and that it was adulterated and misbranded in violation of the Food and Drugs Act. The drums were stenciled: "Cary Maple Sugar Co., St. Johnsbury Vt."

The article was alleged to be adulterated in that sugar sirup had been substituted in part for maple sirup which the article purported to be.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, namely, maple sirup.

On August 13, 1935, 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.*

25187. Adulteration of dried peaches and dried apples. U. S. v. Rosenberg Bros. & Co. Plea of guilty. Fine, $200. (F. & D. no. 33815. Sample nos. 45167-A, 54498-A, 61819-A.)

This case was based on an interstate shipment of dried peaches and dried apples, samples of which were found to be dirty and moldy.

On November 27, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rosenberg Bros. & Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act on or about December 4, 1933, from the State of California into the District of Columbia of a quantity of dried peaches, and on or about March 5, 1934, from the State of California into the State of Texas of a quantity of dried apples, which products were adulterated. The peaches were labeled in part: "Approval Brand California Recleaned Fancy Peaches Distributed by M. E. Horton Inc. Washington D. C." The apples were labeled in part: "25 Lbs. Net California Evaporated Apples."

The articles were alleged to be adulterated in that they consisted in part of filthy vegetable and animal substance.

On September 28, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of $200.

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

25188. Adulteration of dried peaches. U. S. v. Rosenberg Bros. & Co. Plea of guilty. Fine, $100. (F. & D. no. 32190. Sample no. 14517-A.)

This case involved a shipment of dried peaches, samples of which were found to be moldy and dirty.

On July 9, 1934, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Rosenberg Bros. & Co., a corporation,