was alleged to be misbranded further in that it was offered for sale under the name of another food, peach preserves.

On February 21, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed or that it be delivered to welfare or charitable organizations in lieu of destruction at the discretion of the United States marshal.

DRIED FRUITS

908. Adulteration of prunes. U. S. v. 525 Cases of Dried Prunes. Default decree of condemnation and destruction. (F. D. C. No. 1894. Sample No. 10491–E.)

This product was in interstate commerce at the time of examination and was found to be insect-infested at that time.

On April 30, 1940, the United States attorney for the Southern District of New York filed a libel against 525 cases of dried prunes at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 19, 1940, by the California Prune & Apricot Growers Association from San Jose, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On May 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

909. Adulteration of prunes. U. S. v. 450 Sacks of Dried Prunes. Default decree of condemnation and destruction. (F. D. C. No. 1735. Sample Nos. 10406–E, 10407–E.)

This product was in interstate commerce at the time of examination and was found to contain insect larvae and mold.

On April 1, 1940, the United States attorney for the Eastern District of New York filed a libel against 450 sacks, each containing 100 pounds, of dried prunes at Long Island City, N. Y., alleging that the article had been shipped in interstate commerce on or about October 28 and December 1, 1939, by the Winchester Dried Fruit Co. from Campbell, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and decomposed substance. The product was labeled in part: "Natural Condition Prunes for Manufacturing Purposes."

On May 2, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

POULTRY

Nos. 910 to 915, inclusive, report the institution of criminal proceedings based on shipments of dressed poultry which was in part the product of diseased and emaciated poultry, and which in some instances also was in part decomposed.

910. Adulteration of poultry. U. S. v. William C. Davis, Mrs. John R. Mott, and Herman Mott (Davis, Mott & Son). Pleas of guilty as to William C. Davis and Herman Mott. Both fined $50. Judgment of not guilty as to Mrs. John R. Mott. (F. D. C. No. 948. Sample No. 68370–D.)

On April 16, 1940, the United States attorney for the Middle District of Tennessee filed an information against William C. Davis, Mrs. John R. Mott, and Herman Mott, trading as Davis, Mott & Son, at Cookeville, Tenn., alleging shipment on or about October 22, 1939, from the State of Tennessee into the State of New York, of a quantity of poultry which was adulterated.

Adulteration was alleged in that the article was in whole and in part the product of diseased animals.

On June 6, 1940, pleas of guilty were entered by William C. Davis and Herman Mott and the court imposed a fine of $50 against each; and upon a plea of not guilty by Mrs. John R. Mott, entered judgment of not guilty.

911. Adulteration of poultry. U. S. v. The Fairmont Creamery Co. Plea of guilty. Fine, $75 and costs. (F. D. C. No. 955. Sample Nos. 85729–D, 85730–D, 85732–D, 85733–D.)

On June 28, 1940, the United States attorney for the District of Nebraska filed an information against the Fairmont Creamery Co., a corporation, trading at Omaha, Nebr., alleging shipment within the period from on or about November 4 to on or about November 24, 1939, from the State of Nebraska into the State of New York, of quantities of poultry which was adulterated.

The article was alleged to be adulterated in that it was in whole and in part the product of diseased animals, namely, diseased poultry. It was alleged