tration. The product was segregated, with the result that 558 pounds were found unfit and were denatured.

**21085. Adulteration of yellow split peas. U. S. v. 58 Bags * * *.** (F. D. C. No. 36301. Sample No. 42940–L.)

LIBEL FILED: February 1, 1954, Northern District of California.

ALLEGED SHIPMENT: On or about June 25 and August 6, 1953, from Oakesdale, Wash.

PRODUCT: 58 25-pound bags of yellow split peas at San Francisco, Calif., in possession of the DePue Warehouse.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 23, 1954. Default decree of condemnation and destruction.

**21086. Misbranding of potatoes. U. S. v. 336 Bags * * *.** (F. D. C. No. 36297. Sample No. 81678–L.)

LIBEL FILED: On or about January 25, 1954, Western District of Missouri.

ALLEGED SHIPMENT: On or about January 11, 1954, by Nelson N. Jay, from Minatare, Nebr.

PRODUCT: 336 25-pound bags of potatoes at Kansas City, Mo.

LABEL, IN PART: "Big Sioux Brand Western Nebraska Potatoes."

NATURE OF CHARGE: Misbranding, Section 403 (k), the article contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: February 2, 1954. Winnick Bros., Kansas City, Mo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

## TOMATOES AND TOMATO PRODUCTS

**21087. Adulteration of canned tomatoes. U. S. v. 137 Cases * * *.** (F. D. C. No. 36269. Sample No. 73790–L.)

LIBEL FILED: December 23, 1953, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about November 12, 1953, by the Winorr Canning Co., from Circleville, Ohio.

PRODUCT: 137 cases, each containing 24 cans, of tomatoes at Olyphant, Pa.

LABEL, IN PART: (Can) "Plee-Zing Tomatoes * * * Net Weight 1 Lb. 3 Oz."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: February 25, 1954. Default decree of condemnation and destruction.