9522. Adulteration of tomato paste and adulteration and misbranding of tomato catsup. U. S. * * * v. 3 Cases of Tomato Paste and 7 Cases of Tomato Catsup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 14116, 14117. I. S. Nos. 5823-t, 5824-t. S. No. E-3025.)

On December 23, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 cases of tomato paste and 7 cases of tomato catsup, at Johnstown, Pa., alleging that the articles had been shipped by Thomas Page and R. Rizzo, respectively, from Albion, N. Y., on October 29, 1920, and transported from the State of New York into the State of Pennsylvania, and charging that the former was adulterated in violation of the Food and Drugs Act, and that the latter was adulterated and misbranded in violation of the said act, as amended. The articles were labeled, respectively, "Mt. Etna Brand Concentrated Tomato * * * Napoli Style * * *," and "Royal Kitchen Brand Tomato Catsup * * *"

Adulteration of the articles was alleged in the libels for the reason that they consisted in whole or in part of filthy, decomposed, or putrid vegetable substances.

Misbranding of the tomato catsup was alleged for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On June 28, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9523. Adulteration of sauerkraut. U. S. * * * v. 70 Cases * * * of Sauerkraut. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14214. I. S. Nos. 11256-t, 11261-t. S. No. C-2714.)

On January 20, 1921, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on March 18, 1921, an amendment to said libel, praying the seizure and condemnation of 70 cases of sauerkraut, at Florence and Sheffield, Ala., respectively, alleging that the article had been shipped by the Rider Packing Co., Crothersville, Ind., on March 29, 1920, and transported from the State of Indiana into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Rider's Class A Brand Sauerkraut."

Adulteration of the article was alleged in substance in the libel, as amended, for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On April 12, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9524. Adulteration of canned salmon. U. S. * * * v. 1,669 Cases, Each Containing 4 Dozen Pound Cans of Salmon * * *. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 14256. I. S. No. 10534-t. S. No. W-848.)

On January 24, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and