Examination by the Bureau of Chemistry of this department of samples from the different shipments showed from 30 per cent to 65 per cent of decomposed salmon.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed and putrid animal substance.

On March 25, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of $200.

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

13641. Adulteration and misbranding of tomato paste. U. S. v. 100 Cases of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19436. I. S. No. 19130-v. S. No. C-4592.)

On December 26, 1924, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 100 cases of tomato paste, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by G. Matalone, from Chicago, Ill., on or about October 23, 1924, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "Tomato Sauce. * * * Packed By Hershel Cal. Fruit Prod. Co. Packers Of Contadina Brand San Jose, Cal."

Adulteration of the article was alleged in the libel for the reason that an artificially colored tomato paste or sauce had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomato Sauce," borne on the labels, was false and misleading and deceived and misled the purchaser when applied to a tomato paste containing artificial color not declared upon the label.

On July 29, 1925, the Busalacchi Bros. Macaroni Co., Milwaukee, Wis., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of $500, in conformity with section 10 of the act.

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

13642. Adulteration and misbranding of canned tomato paste. U. S. v. 319 Cases of Tomato Paste. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 19445, 19446. I. S. No. 22851-v. S. No. C-4591.)

On December 27, 1924, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 319 cases of tomato paste, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Southwestern Canning Corp., New Orleans, La., on or about September 23, 1924, and transported from the State of Louisiana into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "American Beauty Brand Napoli Type Tomato Paste with Basil Salsa di Pomidoro Packed and Guaranteed by A. Mannino, Los Angeles, California."

Adulteration of the article was alleged in the libel for the reason that an artificially colored tomato paste or sauce had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomato Sauce [Paste]" was false and misleading and deceived and misled the purchaser when applied to a tomato paste containing artificial color not declared on the label.

On March 31, 1925, V. Viviano & Bros. Macaroni Mfg. Co., and Mariano Costa and Joseph Sciales, a copartnership, trading as Sciales Grocery Co., both of St. Louis, Mo., having appeared as claimants for respective portions of the product, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimants upon the filing of a good and sufficient bond, in conformity with section 10 of the act, and that the claimants pay the costs of the proceedings.

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