

bond in the sum of \$500, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*

14519. Adulteration of tomato catsup and tomato puree. U. S. v. 14 Cases of Tomato Catsup, et al. Default decrees of condemnation and destruction entered. (F. & D. Nos. 20779, 20780, 20781, 20807. I. S. Nos. 6660-x, 6661-x, 6662-x, 6674-x. S. Nos. E-5613, E-5614, E-5624.)

On January 25 and February 4, 1926, respectively, the United States attorney for the Southern District of Georgia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 82 cases of tomato catsup and 14 cases of tomato puree, remaining in the original unbroken packages at Savannah, Ga., alleging that the articles had been shipped by W. E. Robinson & Co., from Laurel, Del., in part on or about November 5, 1925, and in part on or about December 11, 1925, and transported from the State of Delaware into the State of Georgia, and charging adulteration in violation of the food and drugs act. The articles were labeled in part: "Tomato Catsup" (or "Tomato Puree") "Packed by the Davis Canning Company Laurel, Delaware."

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.

On March 31 and July 21, 1926, respectively, no claimant having appeared for the property, judgments of condemnation were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14520. Adulteration of tomato catsup. U. S. v. 226 Cases of Tomato Catsup. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20985. I. S. No. 6679-x. S. No. E-5663.)

On March 30, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 226 cases of tomato catsup, remaining in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped by Libby, McNeill & Libby, from Wyoming, Del., on or about October 27, 1925, and transported from the State of Delaware into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Maple Brand Tomato Ketchup Packed For Emery Food Co. Chicago, U. S. A."

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

On July 21, 1926, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14521. Misbranding of butter. U. S. v. 5 Boxes of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21178. I. S. No. 5069-x. S. No. E-5796.)

On July 6, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 boxes of butter, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the H. C. Christians Co., from Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "1 Lb. Net Weight."

Misbranding of the article was alleged in the libel for the reason that the statement "1 Lb. Net Weight," borne on the wrappers containing the article, was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 14, 1926, Arthur Medwedeff, Baltimore, Md., having appeared as claimant for the property, judgment of condemnation 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 \$250, conditioned in part that it not be sold or otherwise disposed of until relabeled to show its true contents, and inspected and approved by this department.

W. M. JARDINE, *Secretary of Agriculture.*

14522. Adulteration and misbranding of butter. U. S. v. Central Produce Co. Plea of guilty. Fine, \$100. (F. & D. No. 19652. I. S. No. 7484-v.)

On August 11, 1925, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Produce Co., a corporation, Temple, Tex., alleging shipment by said company, in violation of the food and drugs act as amended, on or about February 3, 1924, from the State of Texas into the State of Louisiana, of a quantity of butter which was adulterated and misbranded. The article was invoiced as creamery butter.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat, in that it contained less than 80 per cent by weight of milk fat, had been substituted for butter, a product which must contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was an imitation of and was offered for sale under the distinctive name of another article, to wit, creamery butter, in that it contained less than 80 per cent by weight of milk fat, the minimum milk fat required by law. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 22, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

W. M. JARDINE, *Secretary of Agriculture.*

14523. Adulteration of canned salmon. U. S. v. Sanitary Fish Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 18755. I. S. Nos. 4630-v, 4631-v.)

On September 27, 1924, 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 an information against the Sanitary Fish Co., a corporation, Anacortes, Wash., alleging shipment by said company, in violation of the food and drugs act, on or about August 28, 1923, from the State of Washington into the State of Tennessee, of quantities of canned salmon which was adulterated.

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

On June 18, 1926, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

W. M. JARDINE, *Secretary of Agriculture.*

14524. Adulteration and alleged misbranding of prepared mustard. U. S. v. 25 Cases of Prepared Mustard. Default decree of condemnation, forfeiture and destruction. (F. & D. No. 20056. I. S. No. 14437-v. S. No. W-1654.)

On May 1, 1925, 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 praying seizure and condemnation of 25 cases of prepared mustard, at Seattle, Wash., alleging that the article had been shipped by A. Luedemann, Inc., from New York, N. Y., October 21, 1924, and transported from the State of New York into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Dusseldorf Brand Prepared Mustard * * * A. Luedemann, Inc. New York."

Adulteration of the article was alleged in the libel for the reason that a substance, an imitation mustard, had been mixed and packed therewith so as to reduce, lower or injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the designation "Prepared Mustard" was false and misleading and deceived and misled the purchaser,