

18011. Adulteration of tomato puree. U. S. v. 1,566 Cans and 783 Cases of Tomato Puree. Bonds filed. Decrees entered ordering unfit portion destroyed; remainder released to be reconditioned. (F. & D. Nos. 25285, 25437. I. S. Nos. 10346, 10436. S. Nos. 3547, 3711.)

Samples of canned tomato puree from the herein-described shipments having been found to be decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On October 31, and December 3, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 783 cases and 1,566 cans of tomato puree, remaining in the original unbroken packages at St. Louis, Mo., consigned by the Crampton Canneries (Inc.), Celina, Ohio, alleging that the article had been shipped from Celina, Ohio, in part on or about September 25, 1930, and in part on or about November 7, 1930, and had been transported from the State of Ohio into the State of Missouri, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Cases) "Chic Puree Packed for Meyer Schmid Landau;" (cans) "Chic Brand Fancy * * * Tomato Puree * * * Hensgen-Peters Smith Co., Distributors, St. Louis." The remainder of the article was unlabeled.

It was alleged in the libels that the article was adulterated in that it consisted wholly or partly of a filthy, decomposed, or putrid vegetable substance.

On January 7, 1931, the Crampton Canneries (Inc.), Celina, Ohio, having appeared as claimant for the property and having tendered bonds totaling \$2,550, decrees were entered approving the said bonds and ordering that the product be delivered to the Louis Maull Co., St. Louis, Mo., on behalf of the claimant, upon payment of costs and that the cans found to be swelled or unfit for consumption be destroyed. It was further ordered by the court that the portion of the product found fit for consumption be sterilized, and that it should not be disposed of until examined by a representative of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18012. Adulteration of Greek string figs. U. S. v. 500 Cases of Greek String Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25318. I. S. No. 4975. S. No. 3585.)

Samples of Greek string figs from the herein-described shipment having been found to be insect-infested and moldy, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On November 12, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 500 cases of Greek string figs, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the George Segal Co., from New York, N. Y., on or about October 2, 1930, and had been transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "S & S Athena Brand New York * * * Produce of Greece Selected String Figs packed and shipped by Seideman & Seideman."

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

On February 26, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18013. Adulteration of chestnuts. U. S. v. 5 Barrels of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25436. I. S. No. 4948. S. No. 3704.)

Samples of chestnuts from the herein-described shipment having been found to be moldy, rotten, and wormy, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On December 3, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five barrels of chestnuts, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Brown & Seccomb Fruit Auction Co. (Inc.), from New York, N. Y., on or about

November 19, 1930, and had been transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On February 26, 1931, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18014. Misbranding of cottonseed meal. U. S. v. 160 Sacks, et al., of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 25434, 25435. I. S. Nos. 9630, 9675. S. Nos. 3695, 3696.)

Samples of cottonseed meal from the herein-described shipments having been found to contain less protein than declared on the labels, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of New York.

On December 5, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 460 sacks of cottonseed meal, remaining in the original unbroken packages in part at Sidney, N. Y., and in part at Locke, N. Y., alleging that the article had been shipped by the International Vegetable Oil Co., Augusta, Ga., in two consignments, on or about September 11 and September 15, 1930, respectively, and had been transported from the State of Georgia into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Choice Prime Dixie Brand Cotton Seed Meal * * * Guaranteed Analysis, Min. Protein 41.12 Percent * * * Guaranteed by Humphreys Godwin Co. Memphis, Tenn." A portion of the article bore the further statement, "41 Percent Protein."

It was alleged in substance in the libel that the article was misbranded in that it was deficient in protein and the statements on the labels regarding the amount of protein contained in the said article were false and misleading.

On December 30, 1930, the Ames-Burns Co. (Inc.), Jamestown, N. Y., having appeared as claimant for the property 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 costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18015. Adulteration of canned pimientos. U. S. v. 20 Cases of Pimientos in Glass. Default decree of destruction entered. (F. & D. No. 25424. I. S. No. 15529. S. No. 3697.)

Samples of canned pimientos from the herein-described shipment having been found to be underprocessed and decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of New York.

On December 1, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 cases of pimientos in glass, remaining in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by the Pomona Products Co., from Griffin, Ga., on or about September 18, 1930, and had been transported from the State of Georgia into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Stanley Brand Pimientos * * * C. Borghardt Inc., Distributors, Brooklyn, N. Y."

It was alleged in the libel that the article was adulterated in that it was underprocessed and consisted in large part of a filthy, putrid, and decomposed vegetable substance.

On December 29, 1930, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*