United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

19076–19150

[Approved by the Secretary of Agriculture, Washington, D. C., August 1, 1932]

19076. Adulteration of tomato catsup. U. S. v. 50 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26884. I. S. No. 22721. S. No. 5077.)

Samples of canned tomato catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the District of Montana.

On or about September 3, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 cases of tomato catsup at Great Falls, Mont., alleging that the article had been shipped by the Pleasant Grove Canning Co., from Pleasant Grove, Utah, on or about July 22, 1931, and had been transported from the State of Utah into the State of Montana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cases and cans) "Pleasant Grove Brand made from whole tomatoes and trimmings * * * Quality guaranteed. Packed by Pleasant Grove Canning Co., Pleasant Grove—Orem, Utah."

Adulteration was alleged in the libel for the reason that the product consisted in part of a decomposed vegetable substance.

On December 15, 1931, no claimant having appeared, 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.*

19077. Adulteration of butter. U. S. v. 25 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 27828. I. S. Nos. 44960, 44972. S. No. 5423.)

Examination of butter from the shipment herein described having shown that the samples contained less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Iowa.

On October 22, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 25 tubs of butter at Sioux City, Iowa, alleging that the article had been shipped by the Ainsworth Cooperative Creamery, from Ainsworth, Nebr., on or about October 7, 1931, and had been transported from the State of Nebraska into the State of Iowa, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, which should contain 80 per cent of milk fat as provided by the act of Congress of March 4, 1923.

On November 7, 1931, the Ainsworth Farmers Cooperative Creamery Co., claimant, having consented to the entry of a decree, judgment of condemnation 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 $800, conditioned in part that it be reconditioned under the supervision of this department, and that it should not be sold or disposed of contrary to the food and drugs act or the laws of any State.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19078. Adulteration of canned salmon. U. S. v. 149 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. No. 27088. I. S. No. 11581. S. No. 5250.)

Samples of canned salmon from the shipment herein described having been found to be tainted or stale, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On October 20, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 149 cases of canned salmon, remaining in the original unbroken packages at Fresno, Calif., alleging that the article had been shipped on or about August 12, 1931, by McGovern & McGovern, from Seattle, Wash., and had been transported in interstate commerce from the State of Washington into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Cans) "Palace Brand Alaska Pink Salmon Net Contents 1 Lb. Haas Brothers Distributors San Francisco Fresno."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On January 13, 1932, the Wrangell Packing Corporation, Wrangell, Alaska, claimant, having admitted the allegations of the libel and having filed a cost bond in the sum of $250, and a release bond in the sum of $500, conditioned in part that the product should not be sold or otherwise disposed of contrary to the provisions of the Federal food and drugs act and other existing laws, judgment of condemnation was entered and it was ordered by the court that the product be delivered to the claimant for the purpose of segregating for destruction such portion thereof as contained bad fish, such segregation to be made under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19079. Adulteration of cottonseed cake. U. S. v. 400 Sacks of Cottonseed Cake. Consent decree of condemnation entered. Product released under bond. (F. & D. No. 27152. I. S. No. 23813. S. No. 5293.)

Live weevils, webs, and excreta having been found in samples of cottonseed cake from the shipment herein described, the matter was reported to the United States attorney for the District of Kansas by an official of the Kansas State Board of Agriculture, commissioned by the Secretary of Agriculture.

On September 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 400 sacks of the said cottonseed cake, remaining in the original unbroken packages at Buffalo, Kans., alleging that the article had been shipped by the Morrilton Cotton Oil Mill, Morrilton, Ark., on or about August 25, 1931, and had been transported from the State of Arkansas into the State of Kansas, 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 was infested with live weevil, their webs and excreta, whereby the quality and nutritive strength of the article had been injuriously affected and reduced.

On October 20, 1931, the National Cottonseed Products Corporation, Memphis, Tenn., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation 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 $500, conditioned in part that it be properly labeled, and should not be sold or offered for sale in violation of any existing law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19080. Adulteration of dried figs. U. S. v. 10 Cases of Dried Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26795. I. S. No. 11169. S. No. 4936.)

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

On July 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemna-