20464. Adulteration of canned tomato puree. U. S. v. 750 Cases of Tomato Puree. Consent decree of condemnation. Product released under bond. (F. & D. no. 29130. Sample nos. 15339-A, 15340-A, 15341-A, 15342-A.)

This action involved the interstate shipment of quantities of canned tomato puree, samples of which were found to be decomposed.

On October 27, 1932, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 750 cases of tomato puree, remaining in the unbroken cases at Cincinnati, Ohio, alleging that the article had been shipped in interstate commerce in various consignments between the dates of August 18, 1932, and October 20, 1932, by Butterfield Canning Co., from Muncie, Ind., to Cincinnati, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Butterfield Brand Puree of Tomatoes * * * Guaranteed to comply with all the requirements of the National Food Laws Packed by Butterfield Canning Co. Muncie, Ind."

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

On November 14, 1932, the Butterfield Canning Co., Muncie, Ind., appeared and filed a claim for so much of the product as was not decomposed, and consented to the entry of a decree condemning the decomposed portion. On November 22, 1932, judgment was entered, ordering that the product be released to the claimant upon the payment of costs and the execution of a bond in the sum of $1,400, conditioned that it should not be sold or otherwise disposed of contrary to the law. It was further ordered that the goods be sorted to separate the good portion from the remainder, that the portion found not decomposed be released to the claimant, and that the bad portion be destroyed or disposed of by the marshal in such manner as might best serve the public interest.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20465. Adulteration of cauliflower. U. S. v. 483 Crates of Cauliflower. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29298. Sample no. 4416-A.)

This action involved the interstate shipment of a quantity of cauliflower, samples of which were found to bear arsenic and lead in amounts which might have rendered the article injurious to health.

On October 18, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 483 crates of cauliflower at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 6, 1932, having been consigned by the United Growers Assn. Co., from Denver, Colo., to Chicago, Ill., 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 contained added poisonous or deleterious ingredients, arsenic and lead, in amounts which might have rendered the article injurious to health.

On November 10, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20466. Adulteration of strawberry juice. U. S. v. 50 Barrels of Strawberry Juice. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 29254. Sample nos. 10886-A, 20481-A.)

This action involved the interstate shipment of quantities of strawberry juice, which contained added fluorine in an amount which would prove extremely dangerous to health, if consumed.

On November 10, 1932, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 barrels of strawberry juice, remaining in the original and unbroken packages at Clifton, N. J., alleging that the article had been shipped in interstate commerce on or about July 15 and July 20, 1932, by the Kerr Conserving Co., from Portland, Oreg., and had been transported from the State of Oregon into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: