On August 23, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 283 cartons of canned tomato paste at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 5, 1935, by the Anaheim Canning Co., from Anaheim, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kitty Brand Tomato Paste * * * Packed by Glorioso Canning Co., Anaheim, Cal."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 2 and October 4, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**25609. Adulteration of tomato catsup. U. S. v. 55 Cases and 60 Cases of Tomato Catsup. Default decrees of destruction.** (F. & D. nos. 36240, 36241. Sample nos. 23123–B, 23125–B,)

These cases involved tomato catsup that contained filth resulting from worm infestation.

On August 26, 1935, the United States attorneys for the Districts of Minnesota and North Dakota, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 55 cases of tomato catsup at Moorehead, Minn., and 60 cases of tomato catsup at Fargo, N. Dak., alleging that the article had been shipped in interstate commerce on or about July 12, 1935, by the Hawaiian Pineapple Co., from Alameda, Calif., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Hunts Superior Tomato Catsup * * * Packed by Hunt Bros. Packing Co., San Francisco, California." The remainder was labeled: "Hunts Tomato Catsup * * * Hunt Bros. Packing Co. San Francisco, Calif."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 21, 1935, and January 11, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

**25610. Adulteration of tomato ketchup. U. S. v. 95 Cases of Ketchup. Default decree of condemnation and destruction.** (F. & D. no. 36248. Sample no. 9978–B.)

This case involved ketchup that contained filth resulting from worm and insect infestation.

On August 31, 1935, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 95 cases of ketchup at San Antonio, Tex., alleging that the article had been shipped in interstate commerce on or about February 26, 1935, by the Kuner-Empson Co., from Brighton, Colo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Kuner's Ketchup, packed by Kuner Pickle Company, Brighton, Colo."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy vegetable substance.

On October 25, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**25611. Adulteration and misbranding of tomato catsup. U. S. v. 698 Cases of Tomato Catsup. Default decree of condemnation and destruction.** (F. & D. no. 36254. Sample nos. 16092–B, 16093–B, 16094–B.)

This case involved shipments of canned and bottled tomato catsup that was adulterated because of the presence of filth resulting from worm infestation. A part of the canned catsup was originally labeled "7 lbs.", but on some of the cans the figure "7" had been obliterated. Examination of those cans on which the "7" had not been obliterated showed that they contained less than 7 pounds.

On or about September 9, 1935, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 698 cases of tomato