from Cleveland, Ohio, and charging adulteration in violation of the Food and Drugs Act.

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

On March 2, 1936, 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.*

**25758. Adulteration of cheese. U. S. v. 62 Cases of Limburger Spread. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 36907. Sample no. 19085–B.)

This product contained portions of the bodies of flies.

On January 8, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 62 cases of Limburger Spread at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about November 18, 1935, by the Borden Sales Co., from Buffalo, N. Y., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Jar) "Borden's Buffalo Brand Limburger Spread Pasteurized Process Cheese Made In New York State Net Wt Six Oz Made For Borden Quality Inc By Borden Cheese Co Inc * * * Borden's Buffalo Brand Limburger Spread New York State Cheese Spreads Like Butter Net Wt Six Oz Made By Hasselbeck Cheese Co."

Adulteration of the article was charged under the allegation that it consisted wholly or in part of a filthy animal substance.

On February 28, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

**25759. Adulteration of cheese. U. S. v. 2 Cases of Limburger Cheese. Default decree of condemnation, forfeiture, and destruction.** (F. & D. no. 36910. Sample no. 55403–B.)

This product contained portions of the bodies of flies, also nondescript dirt.

On January 8, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two cases of Limburger cheese at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about November 21, 1935, by the Magnolia Cheese Co., from Brodhead, Wis., to Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act. The article was unlabeled.

Adulteration of the product was charged under the allegation that it was sold and shipped as Limburger cheese; and that it consisted wholly or in part of a filthy animal substance.

On March 2, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

**25760. Misbranding of canned tomatoes. U. S. v. 993 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture providing for release of the product to the claimant for relabeling under the supervision of the Food and Drug Administration.** (F. & D. no. 36915. Sample no. 49172–B.)

This product was substandard because the tomatoes were not normally colored.

On January 7, 1936, the United States attorney for the Northern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 993 cases of canned tomatoes at Tulsa, Okla., alleging that the article had been shipped in interstate commerce, on or about October 31, 1935, by the Huntsville Canning Co., Springdale, Ark., to Tulsa, Okla., and charging misbranding in violation of the Food and Drugs Act. The article was labeled: (Can) "Red and Ripe Brand Tomatoes Contents 6 Lbs. 6 Ozs. Packed by Huntsville Canning Company Huntsville, Ark."

Misbranding of the article was charged under the allegations that it was canned food, that the tomatoes were not normally colored, that the article fell below the standard of quality and condition promulgated by the Secretary of Agriculture for such canned food, and that its package or label did not bear