

27607. Adulteration of dried prunes. U. S. v. 300 Boxes of Prunes. Default decree of condemnation and destruction. (F. & D. No. 89253. Sample No. 29578-C.)

This product was in part decomposed.

On March 29, 1937, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 300 boxes of prunes at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about March 11, 1937, by the North Pacific Cooperative Prune Exchange from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Prunes Roundup Grocery Spokane Wn."

The article was alleged to be adulterated in that it consisted in whole or in part of decomposed prunes.

On July 26, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27608. Adulteration of canned prunes. U. S. v. 116 Cases of Prunes. Default decree of condemnation and destruction. (F. & D. No. 39254. Sample No. 36144-C.)

This product was in whole or in part decomposed.

On April 5, 1937, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 116 cases of canned prunes at Havre, Mont., alleging that the article had been shipped in interstate commerce on or about January 12, 1937, from Yakima, Wash., by the California Packing Corporation, and charging adulteration in violation of the Food and Drugs Act. (The product was packed by the Oregon Fruit Products Co., Salem, Oreg.) It was labeled in part: (Cans) "Valley Home Brand Blue Plums (Prunes) Distributed by the branches of Nash-Finch Co. Minneapolis, Minn."

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

On June 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27609. Misbranding of salad oil. U. S. v. 25 Cartons of Marca San Giovanni Olio Puro. Default decree of condemnation and sale. (F. & D. No. 89262. Sample No. 17676-C.)

This product was labeled to create the impression that it was olive oil of Italian origin, whereas it consisted chiefly of soybean oil and a small proportion of cottonseed oil.

On March 24, 1937, the United States attorney for the District of Puerto Rico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cartons of salad oil at San Juan, P. R., alleging that the article had been shipped on or about January 21, 1937, by Durkee Famous Foods from Elmhurst, Long Island, N. Y., and charging misbranding in violation of the Food and Drugs Act.

It was alleged to be misbranded in that the statements on the label, "Marca San Giovanni Olio Puro" and "Olio Raccomandato per Insalata Cucina a Qualsiasi Altro Uso De Tavola," were false and misleading and tended to deceive and mislead the purchaser, since they gave the impression that it was olive oil of Italian origin; whereas it consisted chiefly of soybean oil with a small amount of cottonseed oil.

On July 15, 1937, no claimant having appeared, judgment of condemnation was entered. On July 19, 1937, the decree was amended to permit the marshal to sell the goods under a proper label.

M. L. WILSON, *Acting Secretary of Agriculture.*

27610. Adulteration of canned tomato puree. U. S. v. 100 Cases and 53 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. & D. Nos. 39266, 39267. Sample Nos. 32473-C, 32719-C.)

This product contained filth resulting from worm infestation.

On March 24, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 153 cases of tomato puree at Seattle, Wash., alleging that 100 cases of the article had been shipped

in interstate commerce on or about January 22, 1937, from Fullerton, Calif., by Val Vita Food Products, Inc., and that 53 cases had been shipped on or about February 10, 1937, from Wilmington, Calif., by the Empire Freight Co. (both lots were packed by Val Vita Food Products, Inc.), and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Expo Brand Tomato Puree Packed for National Grocery Co. Seattle, Wash."

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

On June 30, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27611. Adulteration of canned huckleberries. U. S. v. 26 Cases of Huckleberries. Default decree of condemnation and destruction. (F. & D. No. 39270. Sample No. 36145-C.)

Samples of this product were found to contain worms.

On April 6, 1937, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 cases of canned huckleberries at Havre, Mont., alleging that the article had been shipped in interstate commerce on or about February 12, 1937, by the Seattle Transfer & Storage Co. from Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Household Brand Huckleberries * * * Olympia Canning Company Olympia Washington."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid substance.

On June 13, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27612. Adulteration of wild raspberry jam. U. S. v. 62 Drums of Wild Raspberry Jam. Consent decree of condemnation and destruction. (F. & D. No. 39275. Sample No. 20229-C.)

Samples of this product were found to be decomposed and to contain worms.

On March 25, 1937, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 62 drums, each containing 175 pounds of wild raspberry jam, at Portland, Maine, alleging that the article had been shipped in interstate commerce on or about September 2, 1936, by the H. A. Johnson Co. from Boston, Mass., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "Johnson's Wild Raspberry Jam * * * H. A. Johnson Co. Boston New York."

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

On July 29, 1937, the H. A. Johnson Co., claimant, having withdrawn its claim and consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27613. Adulteration of canned salmon. U. S. v. 162 Cases and 91 Cases of Unlabeled Cans of Red Salmon. Decree of condemnation. Product released under bond. (F. & D. No. 39284. Sample Nos. 10643-C, 23074-C, 38731-C, 38732-C.)

This product was in part decomposed.

On March 26, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 253 cases of salmon at Alameda, Calif., alleging that the article had been shipped by the Alaska Packers Association from Bristol Bay, Alaska, arriving at Alameda on or about August 22, 1936, 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 animal substance.

On April 8, 1937, the Alaska Packers Association, having appeared as claimant, judgment of condemnation was entered ordering that the product be released to claimant under bond conditioned that it should not be disposed of in violation of the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*