

On May 29, 1935, 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 150 cases of tomato puree and 39 cases of tomato catsup at Missoula, Mont., alleging that the articles had been shipped in interstate commerce on or about April 5, 1935, by H. D. Olsen from North Ogden, Utah, and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Woods Cross Brand Tomato Puree [or "Catsup"] * * * Packed by Woods Cross Canning Company, Woods Cross, Utah."

The articles were alleged to be adulterated in that they consisted wholly or in part of filthy vegetable substances.

On November 27, 1935, no claimant appearing, judgment of condemnation was entered and it was ordered that the products be destroyed.

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

25291. Adulteration of canned spinach, canned turnip greens, and canned mustard greens. U. S. v. 39½ Cases of Canned Spinach, and other cases. Default decrees of condemnation and destruction. (F. & D. nos. 35588, 35801, 36111, 36112. Sample nos. 10288-B, 32233-B, 32606-B, 32607-B.)

These cases involved shipments of canned spinach and turnip and mustard greens, samples of which were found to contain worms and filth.

On June 5, 1935, 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 39½ cases of canned spinach at Chicago, Ill. On July 31, 1935, a libel was filed against 40 cases of canned turnip greens at Abilene, Tex. (amended to cover 58 cases), and on August 9, 1935, a libel was filed against 108 cases of canned turnip greens and 86 cases of canned mustard greens at Desloge, Mo. The libels alleged that the articles had been shipped in interstate commerce between the dates of January 2 and May 5, 1935, by the Litteral Canning Co., from Fayetteville, Ark., and that they were adulterated in violation of the Food and Drugs Act. Certain lots were labeled: "Sanders Brand Spinach [or "Lecano Brand Spinach" or "Lecano Brand Turnip Greens"] * * * Packed by Litteral Canning Co. Fayetteville, Ark." The remaining lots were labeled: "Liberty Turnip Greens [or "Mustard Greens"] * * * G. H. Wettereau & Sons Grocery Company St. Louis, Mo. * * * Branches Desloge, Mo. * * * Distributors."

The articles were alleged to be adulterated in that they consisted in whole or in part of filthy vegetable substances.

On October 4, October 14, and November 13, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

25292. Adulteration of canned tuna. U. S. v. 48 Cases and 24 Cases of Canned Tuna. Consent decree of condemnation. Product released under bond. (F. & D. no. 35619. Sample nos. 26793-B, 31627-B, 31628-B.)

This case involved a shipment of canned tuna which was in part decomposed.

On June 7, 1935, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 72 cases of canned tuna at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about April 30, 1935, by Cohn-Hopkins, Inc., from San Diego, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Golden Strand Brand California Light Meat Tuna * * * Cohn-Hopkins Inc. San Diego, Calif."

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

On October 18, 1935, Cohn-Hopkins, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it should not be disposed of contrary to the provisions of the Federal Food and Drugs Act.

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

25293. Adulteration of butter. U. S. v. 82 Cartons of Butter. Default decree of condemnation and destruction. (F. & D. no. 35661. Sample no. 28260-B.)

This case involved a shipment of butter, samples of which were found to contain mold.

On May 28, 1935, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 82 cartons, each containing ten 1-pound rolls of butter, at Carbondale, Ill., alleging that the article had been transported in interstate commerce on or about May 24, 1935, by the Kroger Grocery & Baking Co., from Cape Girardeau, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Country Club Brand Roll Creamery Butter * * * Packed For The Kroger Grocery & Baking Co."

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

On October 14, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25294. Adulteration of tomato paste. U. S. v. 87 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. no. 35665. Sample no. 35784-B.)

This case involved a shipment of tomato paste that contained filth resulting from worm and insect infestation.

On June 28, 1935, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 87 cases of tomato paste at Denver, Colo., consigned by F. E. Booth Co., Inc., Pittsburg, Calif., alleging that the article had been shipped in interstate commerce on or about May 29, 1935, from Pittsburg, Calif., into the State of Colorado and charging adulteration and violation of the Food and Drugs Act. The article was labeled in part: (Can) "Booth's Crescent Brand California Concentrated Tomato Paste * * * Packed by F. E. Booth Co. General Offices San Francisco, California."

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

On November 19, 1935, the case having been called and the sole intervenor having failed to appear, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25295. Adulteration of canned sardines. U. S. v. 225 Cases of Sardines. Consent decree of condemnation and destruction. (F. & D. no. 35702. Sample nos. 26679-B, 28125-B, 28220-B.)

This case involved a shipment of canned sardines which were in part decomposed.

On July 1, 1935, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 225 cases of sardines at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about April 2, 1935, by the Del Mar Canning Corporation, from Monterey, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Haases Rabbit Brand California Sardines A C L Haase Co Distributors St Louis Mo."

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

On October 11, 1935, the claimant having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25296. Adulteration of imitation jam. U. S. v. 9 Cases of Imitation Jam. Default decree of condemnation and destruction. (F. & D. no. 35769. Sample no. 35788-B.)

This case involved a shipment of imitation jam that contained excessive lead.

On July 12, 1935, 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 nine cases of imitation jam at Glendive, Mont., alleging that the article had been shipped in interstate commerce on or about March 8, 1935, by Hewlett Bros. Co., from Salt Lake City, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Berri-Best Brand Imitation * * * Jam * * * Hewlett Bros. Co. Salt Lake City, Utah."