

25352. Misbranding of beer. U. S. v. 150 Cases of Beer. Default decree of condemnation and destruction. (F. & D. nos. 36430, 36431, 36432. Sample no. 47160-B.)

This case involved an interstate shipment of beer that contained less alcohol than declared on the label.

On September 25, 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 150 cases of beer at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about September 18, 1935, by the J. G. [B.] Margolies Liquor Co., from East St. Louis, Ill., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "America's Favorite Local High Eight Percent select Lager Beer * * * Manhattan Brewing Company, Chicago, Illinois."

The article was alleged to be misbranded in that the statement "High Eight Percent", borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to a product containing 4.53 percent of alcohol by volume.

On November 27, 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.*

25353. Adulteration of tomato catsup. U. S. v. 30 Cases of Catsup. Default decree of condemnation and destruction. (F. & D. no. 36449. Sample no. 38651-B.)

This case involved a shipment of catsup that contained filth resulting from worm infestation.

On October 2, 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 30 cases of catsup at Denver, Colo., consigned by Reid, Murdoch & Co., Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 15, 1935, from the State of Illinois into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Monarch Tomato Catsup * * * Reid, Murdoch & Co. Chicago, Ill."

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

On December 5, 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.*

25354. Adulteration of tomato paste. U. S. v. 210 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. no. 36452. Sample no. 49679-B.)

This action involved canned tomato paste that contained filth resulting from worm infestation.

On October 3, 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 a libel praying seizure and condemnation of 210 cases of canned tomato paste at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 2, 1935, by the California Conserving Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. It was labeled in part: "California Home Brand Tomato Paste * * * Made by California Conserving Co. Incorporated San Francisco."

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

On October 23, 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.*

25355. Adulteration of Spanish sauce. U. S. v. 100 Cases of Spanish Sauce. Default decree of condemnation and destruction. (F. & D. no. 36455. Sample no. 28428-B.)

This case involved Spanish sauce that contained filth resulting from worm infestation.

On October 4, 1935, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 100 cases of Spanish

sauce at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about August 7, 1935, by the Independent Grocers Alliance Distributors, from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "IGA Brand Spanish Style Sauce * * * Packed for Independent Grocers Alliance Distributing Co. Chicago, Illinois."

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

On December 11, 1935, no claimant appearing, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

25356. Adulteration of canned salmon. U. S. v. 3,901 Cartons of Canned Salmon, and other cases. Consent decrees of condemnation. Product released under bond. (F. & D. nos. 36464, 36469, 36537. Sample nos. 37579-B, 37594-B, 37859-B, 37866-B, 37870-B, 37876-B, 53609-B.)

These cases involved canned salmon which was in part decomposed.

On October 7, October 10, and October 23, 1935, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 12,412 cartons and cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce in various shipments on or about August 3, August 19, and September 4, 1935, by the Wrangell Packing Co., from Wrangell, Alaska, and charging adulteration in violation of the Food and Drugs Act.

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

On October 10, October 16, and October 28, 1935, the Wrangell Packing Co., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be released under bond conditioned that it should not be sold or otherwise disposed of contrary to the provisions of the Federal Food and Drugs Act.

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

25357. Adulteration of canned salmon. U. S. v. 4,070 Cases of Canned Salmon. Consent decree of condemnation. Product released under bond. (F. & D. no. 36468. Sample nos. 37578-B, 37864-B.)

This case involved canned salmon which was in part decomposed.

On October 9, 1935, 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 4,070 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 16, 1935, by the Annette Island Canning Co., from Metlakatla, Alaska, and charging adulteration in violation of the Food and Drugs Act.

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

On October 29, 1935, the Annette Island Canning Co., claimant, having admitted the allegation of the libel and having consented to 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 sold or otherwise disposed of contrary to the provisions of the Federal Food and Drugs Act.

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

25358. Adulteration of frozen eggs. U. S. v. 221 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product released under bond for segregation and destruction of decomposed portion. (F. & D. no. 36471. Sample no. 30578-B.)

This case involved frozen whole eggs which were in part decomposed.

On October 14, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 221 cans of frozen whole eggs at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about September 9, 1935, by W. W. Butler, Inc., from Dallas, Tex., and charging adulteration in violation of the Food and Drugs Act.

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