24948. Adulteration of tomato puree. U. S. v. 8 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. & D. no. 35533. Sample no. 35692–B.)

This case involved an interstate shipment of tomato puree that contained fragments of worms.

On or about May 29, 1935, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cases of tomato puree at Albuquerque, N. Mex., alleging that the article had been shipped in interstate commerce on or about April 8, 1935, by the J. S. Brown Mercantile Co., from Pueblo, Colo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cream of the Valley Brand Tomato Puree * * * Johnson Canning Company, Fowler, Colorado."

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

On June 28, 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.*

24949. Adulteration and misbranding of egg noodles. U. S. v. 112 Packages of Egg Noodle Products, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35537, 35795. Sample nos. 30643–B, 30644–B, 30645–B, 36606–B.)

These cases involved shipments of egg noodles which contained soybean meal and turmeric, a yellow coloring matter.

May 27 and July 24, 1935, the United States attorneys for the Districts of Connecticut and Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 1,152 various-sized packages of egg noodle products and 127 trays of egg noodles at West Haven, Conn., and 3,600 packages of egg noodles at Springfield, Mass., alleging that the articles had been shipped in interstate commerce, in part on or about April 24, 1935, and in part on or about June 6, 1935, by the Richardson Food Packing Co., Inc., from Brooklyn, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, variously: "Dutch Maid Egg Noodle Products Schneiders Home Made Egg Noodle Co. Brooklyn, New York"; Schneider's Dutch Maid Pure Egg Noodles * * * Richardson Food Packing Co., Inc. Brooklyn, New York"; "Northeast Egg Noodles Packed for Northeast Tea Co. Springfield, Mass."

The articles were alleged to be adulterated in that products containing soybean meal and an added color, turmeric, had been substituted for egg noodle products which the articles purported to be, and for the further reason that they were colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements, "Egg Noodle Products", "Pure Egg Noodles", and "Egg Noodles * * * Made from the Heart of the Finest Quality Wheat Selected Durum Semolina", appearing in the labeling, were false and misleading and tended to deceive and mislead the purchaser.

September 12 and October 28, 1935, no claimant appearing, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

24950. Adulteration of anchovies sprats. U. S. v. 4 Cases of Anchovies Sprats. Default decree of condemnation and destruction. (F. & D. no. 35545. Sample no. 21986–B.)

This case involved a lot of imported anchovies sprats which were found to be undergoing active decomposition.

On May 28, 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 four cases of anchovies sprats at New York, N. Y., alleging that the article had been shipped on or about October 16, 1934, from Gothenburg, Sweden, by A. B. Hugo Hallgrens Konservfabriker, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Hallgren's Original Swedish Anchovies Sprats * * * Packed by A. B. Hugo Hallgrens Konservfabriker Gothenburg Sweden."