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

On July 31, 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.*

24972. Adulteration of cream. U. S. v. Six 10-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. & D. no. 35657. Sample no. 28751-B.)

This case involved cream which was filthy or decomposed, or both filthy and decomposed.

On June 5, 1935, the United States attorney for the Western 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 6 ten-gallon cans of cream at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about June 4, 1935, in various shipments by D. Glover, Galeton, Pa.; W. L. Hawks, Genesee, Pa.; C. R. Van Cise, Centerville, Pa.; A. Smith, Centerville, Pa.; G. G. Byron, Westfield, Pa.; and the Lily Hill Farm, Sayre, Pa., 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, or putrid animal substance.

On June 5, 1935, the Fairmont Creamery Co., Buffalo, N. Y., having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24973. Adulteration of butter. U. S. v. 13 Bags of Butter. Consent decree of condemnation and destruction. (F. & D. no. 35658. Sample no. 32324-B.)

This case involved a shipment of butter samples of which were found to contain mold and other extraneous matter.

On May 21, 1935, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 bags, each containing approximately 70 pounds of butter, at Ottumwa, Iowa, alleging that the article had been shipped in interstate commerce on or about May 10, 1935, by the Yorkshire Creamery Co., from Bethany, Mo., 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, or putrid animal substance.

On July 26, 1935, the Yorkshire Creamery Co., claimant, having filed an answer consenting to the entry of a decree without, however, either admitting or denying the charge that the product was adulterated, judgment of condemnation was entered and it was ordered that the product be destroyed and that the claimant pay the costs of the proceedings.

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

24974. Adulteration of tomato puree. U. S. v. 137 Cases and 48¼ Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. & D. nos. 35663, 35664. Sample nos. 27751-B, 27752-B.)

These cases involved shipments of tomato puree that contained excessive mold.

On June 19, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 235¼ cases of canned tomato puree at Hanover, Pa., alleging that the article had been shipped in interstate commerce in part on or about September 10, 1934, by W. H. Neal & Sons, Inc., and in part on or about February 22, 1935, by A. W. Sisk & Son, from Hurlock, Md., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Zo-Ray Brand Tomato Puree * * * W. H. Neal & Sons, Inc., Hurlock, Md. Distributors." The remainder was labeled: "Neal's Wholesome Tomato Puree * * * Distributed by W. H. Neal & Sons, Inc. Offices Hurlock, Md."

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

On July 31, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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