24796. Adulteration of cream. U. S. v. Two 5-Gallon Cans of Cream. Consent decree of destruction. (F. & D. no. 35554. Sample no. 35662–B.)

On May 4, 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 two 5-gallon cans of cream at Trinidad, Colo., alleging that the article had been shipped in interstate commerce on or about April 27, 1935, in part by Fred Green, from Olney, Tex., and in part by R. B. Woody, from Snyder, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it was filthy, putrid, and decomposed.

On May 4, 1935, the consignee, the Trinidad Creamery Co., having admitted the allegations of the libel, and having consented to the entry of a decree, judgment was entered ordering that the product be destroyed.

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

24797. Adulteration of butter. U. S. v. 13 Cases of Butter. Default decree of condemnation and destruction. (F. & D. no. 35555. Sample no. 28498–B.)

This case involved an interstate shipment of butter that contained mold.

On April 26, 1935, the United States attorney for the Western District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 cases of butter at Shreveport, La., alleging that the article had been shipped in interstate commerce on or about April 17, 1935, by Swift & Co., Ltd., from Paris, Tex., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Big Chain Golden Creamery Butter * * * Mfd by Bordens Products Co Inc Fort Worth Texas."

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

On June 17, 1935, no claim having been entered, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24798. Adulteration of Colora Da Olio De Oliva, and adulteration and misbranding of Olive-Concentrol. U. S. v. 12 Bottles of Colora Da Olio De Oliva, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35605, 35606, 35607. Sample nos. 26043–B to 26047–B incl.)

These cases involved coloring and flavoring substances. One of the products described as "Colora Da Olio De Oliva" contained an unpermitted coal-tar dye; a portion also contained excessive lead. The product described as "Olive-Concentrol" contained an unpermitted coal-tar dye and artificial flavor.

On June 5, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 24 bottles of Colora Da Olio De Oliva and 5 bottles of Olive-Concentrol at Boston, Mass., alleging that the articles had been shipped in interstate commerce in various shipments between the dates of October 27, 1934, and April 18, 1935, in part by the Drew Corporation from New York, N. Y., and in part by the National Co., from Brooklyn, N. Y., and charging adulteration of the former and adulteration and misbranding of the latter in violation of the Food and Drugs Act. The articles were labeled, variously: "Contents 1 Gallon National Brand Colora Da Olio De Oliva National Company * * * Brooklyn, New York"; "1 Gallon Colora Da Olio De Oliva Drew's Quality Flavors Drew Corporation * * * New York"; "Gustav Schraff Fabrik-Mainz Olive-Concentrol ½ Gallon Net."

The Colora Da Olio De Oliva was alleged to be adulterated in that it contained deleterious ingredients, namely, Quinizarine green lead having been found also in one of the lots, which might have rendered the product injurious to health. Adulteration of the Olive-Concentrol was alleged for the reason that it contained an added deleterious ingredient, Quinizarine green, which might have rendered it injurious to health, and in that an article that contained artificial flavor and artificial color had been substituted for olive-oil flavor which the article purported to be.

Misbranding of the Olive-Concentrol was alleged for the reason that the statement on the label, "Olive-Concentrol", was false and misleading and tended to deceive and mislead the purchaser.

On July 15, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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