

Drugs Act, on or about August 3, 1934, from the State of Iowa into the State of New York of a quantity of frozen eggs which were adulterated.

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

On September 10, 1935, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$50 and costs.

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

**24852. Adulteration of canned shrimp. U. S. v. 99 Cases and 149 Cases of Canned Shrimp. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. nos. 34168, 34169. Sample nos. 17068-B, 17069-B.)**

These cases involved canned shrimp which was in part decomposed.

On October 25, 1934, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 248 cases of canned shrimp at Hoboken, N. J., alleging that the article had been shipped in interstate commerce in part on or about September 8, 1934, by the Berwick Bay Canneries, Inc., from Berwick, La., and in part on or about September 20, 1934, by Jas. A. Smith, from Fernandina, Fla., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "American House Wet Shrimp \* \* \* American Grocery Company Distributors Hoboken, N. J."

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

On August 24, 1935, the two cases having been consolidated and the American Grocery Co., claimant, having admitted the allegations of the libels and 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 the decomposed portion be segregated and destroyed.

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

**24853. Misbranding of salad oil. U. S. v. 8 Cases of Salad Oil. Default decree of condemnation. (F. & D. no. 34333. Sample no. 4528-B.)**

This case involved a shipment of salad oil consisting essentially of cottonseed oil artificially colored and flavored to simulate the color and flavor of olive oil, and labeled to convey the impression that it was olive oil of foreign origin.

On November 9, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of eight cases of salad oil at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about September 15, 1934, by the Trieste Importing Co., Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Paradise Brand Superior Quality Oil."

The article was alleged to be misbranded in that the designation, "Marca Paradise Qualita Superiore Olio", the statements, "Composto di ottanta cinque per cento d'altri olii vegetali, quindici per cento d'olio d'oliva vergine coll'aggiunta di essenze innocue e coloranti", and "Marca Paradiso Indicato Per Salse, Fritture, Insalate E Qualsiasi Altro Uso Di Tavola E Cucina", together with the design of olive branches bearing leaves and flowers, and the design of the shield of Italy, borne on the label were misleading and tended to deceive and mislead the purchaser as applied to an imitation olive oil. Misbranding was alleged for the further reason that the article purported to be a foreign product when not so, and for the further reason that it was an imitation of another article, namely, olive oil, and was not plainly and conspicuously labeled as an imitation.

On September 4, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be disposed of in such manner as would not violate the provisions of the Federal Food and Drugs Act.

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

**24854. Adulteration of canned shrimp. U. S. v. 46 and 69 Cases of Canned Shrimp. Default decree of condemnation and destruction. (F. & D. no. 34572. Sample nos. 21249-B, 21250-B.)**

This case involved an interstate shipment of canned shrimp which was in part decomposed.

On December 18, 1934, 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 115 cases of canned shrimp at Elizabeth, N. J., alleging that the article had been shipped in interstate commerce on or about October 11 and October 15, 1934, by the Kuluz Bros. Packing Co., of Biloxi, Miss., from Mobile, Ala., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Favorite Quality [or "Hersh's Best Brand"] Wet Shrimp \* \* \* L. F. Hersh & Brother Distributors Elizabeth, N. J."

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

On July 13, 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.*

**24855. Adulteration of canned peaches. U. S. v. 206 Cases of Canned Peaches. Default decree of condemnation and destruction. (F. & D. nos. 34742, 34743. Sample nos. 18849-B, 18850-B.)**

This case involved an interstate shipment of canned peaches which were in part wormy and worm-eaten.

On January 10, 1935, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 206 cases of canned peaches at Nashville, Tenn., alleging that the article had been shipped in interstate commerce on or about July 21, 1934, by Roberts Bros., Inc., from Americus, Ga., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Indian Hunter Brand Peaches \* \* \* Packed in Georgia Distributed by Roberts Bros. Inc. Main Office: Baltimore, Md."

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

On September 11, 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.*

**24856. Adulteration and misbranding of dried apples. U. S. v. 67 Sacks of Dried Apples. Default decree of condemnation and destruction. (F. & D. no. 35028. Sample no. 2847-B.)**

This case involved an interstate shipment of dried apples which were insect-infested and filthy and which were not labeled to show the quantity of the contents.

On January 26, 1935, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 67 sacks of dried apples at Nashville, Tenn., alleging that the article had been shipped in interstate commerce on or about October 15, 1934, and January 1, 1935, by the E. E. Eller Produce Co., from North Wilkesboro, N. C., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

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

Misbranding was alleged for the reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On September 11, 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.*

**24857. Adulteration of canned shrimp. U. S. v. 66½ Cases of Canned Shrimp. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 35035. Sample nos. 11095-B, 20057-B.)**

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

On January 30, 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 66½ cases of canned shrimp at Tacoma, Wash., alleging that the article had been shipped in inter-