

On or about July 2, 1934, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 199 cases of canned sardines at Vidalia, Ga., alleging that the article had been shipped in interstate commerce on or about September 2, 1933, by Wass & Stinson Canning Co., from Prospect Harbor, Maine, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part; "Beach Cliff Brand Maine Sardines * * * Packed by Wass & Stinson Canning Co., Prospect Harbor, Maine."

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

On July 30, 1934, no claimant having appeared, judgment was entered ordering destruction of the product.

M. L. WILSON, *Acting Secretary of Agriculture.*

22924. Adulteration of butter. U. S. v. 87 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond; unfit portion denatured. (F. & D. no. 33379. Sample no. 70612-A.)

This case involved a shipment of butter, samples of which were found to contain parts of insects, rodent, cow and human hairs, mold, and other filth.

On June 11, 1934, 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 87 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce, on or about June 2, 1934, by the Beasley Produce Exchange, from Roanoke, Va., and charging adulteration in violation of the Food and Drugs Act.

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

On July 27, 1934, the Viking Butter Co., Inc., New York, N. Y., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned that the unfit portion be denatured and disposed of as poultry feed.

M. L. WILSON, *Acting Secretary of Agriculture.*

22925. Adulteration of butter. U. S. v. 5 Barrels and 5 Tierces of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31898. Sample nos. 51965-A, 66021-A.)

This case involved shipments of butter that contained mold and miscellaneous filth.

On January 15, 1934, 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 5 barrels and 5 tierces of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce, in various lots, on or about May 15, May 18, and May 23, 1933 by N. J. Snook, from Hagerstown, Md., and charging adulteration in violation of the Food and Drugs Act.

The libel alleged that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On February 10, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

22926. Adulteration and misbranding of alleged Scotch whisky. U. S. v. 76 Bottles, et al., of Vat 6 Scotch Whisky. Decrees of condemnation. Portion of product released under bond to be relabeled. Remainder destroyed. (F. & D. nos. 32037, 32038, 32071, 32080. Sample nos. 46611-A, 46612-A, 58255-A, 58256-A, 58261-A, 58262-A, 58265-A, 58266-A.)

These cases involved alleged Scotch whisky which consisted in whole or in part of diluted alcohol of domestic origin.

On March 1 and March 3, 1934, the United States attorneys for the Districts of Rhode Island and the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 112 cases and 92 bottles of alleged Scotch whisky, in various lots at Providence and Pawtucket, R. I., and New

Orleans, La., alleging that the article had been shipped in interstate commerce, between the dates of December 26, 1933, and January 11, 1934, in part by Joseph Beck Sons, Inc., from New York, N. Y., into the States of Rhode Island and Louisiana, and in part by the Narragansett Distributing Co., from Boston, Mass., into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Vat 6 Old Scotch Whiskey A Blend Blended and Bottled by Joseph Beck Sons, Inc., New York, N. Y."

The article was alleged to be adulterated in that alcohol of domestic origin had been mixed and packed therewith so as to reduce and lower its quality and had been substituted wholly or in part for the said article; and in that it had been mixed in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statement "Old Scotch Whisky" and the design of a bust of a Scotchman in native garb, appearing on the label, were false and misleading and tended to deceive and mislead the purchaser; and for the further reason that the article was offered for sale under the distinctive name of another article.

On May 17, 1934, judgment was entered in the Eastern District of Louisiana condemning the product libeled in that district and ordering that it be released to the claimant under a bond in the sum of \$4,200, conditioned that it be relabeled under the supervision of this Department. On September 5, 1934, no claimant appearing in the cases instituted in the District of Rhode Island, judgments of condemnation, forfeiture, and destruction were entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

22927. Adulteration of egg colors. U. S. v. 5½ Gross and 5½ Gross of Egg Colors. Default decrees of condemnation. (F. & D. nos. 32460, 32461. Sample nos. 62501-A, 62502-A.)

These cases involved egg colors consisting of blue, red, and yellow colors. Analyses showed that the yellow color contained excessive lead.

On March 28, 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, libels praying seizure and condemnation of 11 gross cardboard display cards, each containing three unlabeled vials of egg colors, at Washington, D. C., alleging that the article was in possession of the Hecht Co., and Lansburgh & Bro., and was being offered for sale in the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The display card was labeled: "Simplex Egg Color Set * * * Manufactured by Nu-Dell Products, Inc., Chicago."

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On September 26, 1934, no claimant having appeared, judgments of condemnation were entered and the court ordered that the product be disposed of in such manner as would not violate the provisions of the Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22928. Adulteration of canned spinach. U. S. v. 463 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32667. Sample nos. 68695-A, 72057-A.)

This case involved a shipment of canned spinach that was found to be in part decomposed.

On May 1, 1934, 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 463 cases of canned spinach at St. Louis, Mo., alleging that the article had been shipped in interstate commerce, on or about April 4, 1934, by the Tri-Valley Packing Association, from Modesto, Calif., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Topmost Brand Spinach * * * Distributed by General Grocer Co., St. Louis, Mo." The remainder was labeled in part: "American Lady Brand Spinach * * * Haas-Lieber Grocery Co. Distributors, St. Louis, Mo."

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

On June 1, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*