On January 4, 1934, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

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

22035. Adulteration of tomato puree. U. S. v. 1,000 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31823. Sample no. 64145–A.)

This case involved shipments of tomato puree that contained excessive mold.

On January 10, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,000 cases of tomato puree at Chicago, Ill., alleging that the article had been shipped in interstate commerce by J. M. Thompson & Co., in part on or about November 29 and December 1, 1933, from Granville, Mo., and in part on or about December 2, 1933, from Milwaukee, Wis., and charging adulteration in violation of the Foods and Drugs Act. The article was labeled in part: (Cans) "Rockfield Pride Puree * * * Packed by Rockfield Canning Co., Rockfield Wis."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On February 27, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

22036. Misbranding of vinegar. U. S. v. 46 Cases of Vinegar. Default decree of condemnation and forfeiture. Product delivered to a Federal agency. (F. & D. no. 31841. Sample no. 66663–A.)

This case involved the shipment of a quantity of vinegar that was found to be short volume.

On January 17, 1934, 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 46 cases of vinegar at Lemar, Colo., consigned by the Wichita Vinegar Works, alleging that the article had been shipped in interstate commerce on or about August 7, 1933, from Wichita, Kans., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Bottles) "Harvest Home Brand Contents One Pint Cider Vinegar Packed by Jett and Wood Mercantile Company, Wichita Kansas."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Contents One Pint", was false and misleading and deceived and mislead the purchaser. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On March 15, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the United States Veterans Administration Facility at Fort Lyon, Colo., for consumption.

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

22037. Adulteration of chocolate-coated confections. U. S. v. 10 Boxes, et al., of Chocolate-Coated Confections. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31847. Sample no. 60023–A.)

This case involved a shipment of confectionery that was found to contain alcohol.

On January 17, 1934, 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 an information against 10 unlabeled pasteboard boxes and 10 round tin boxes of chocolate-coated confections at Buffalo, N.Y., consigned by H. L. Caplan & Co., Baltimore, Md., alleging that the article had been shipped in interstate commerce on or about December 29, 1933, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mlle Modiste Confiseur Rue St. Honore Paris."

It was alleged in the label that the article was adulterated in that it contained spirituous liquor.

Rockfield canning