

**14265. Adulteration of tomato puree. U. S. v. 738 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20911, 20912. I. S. Nos. 4379-x, 4380-x, 4381-x. S. Nos. C-4986, C-4987.)

On March 6, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 738 cases of tomato puree, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Frankton Ideal Canning Co., Frankton, Ind., in part January 25, 1926, and in part February 2, 1926, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Can) "Frankton Ideal Tomato Puree Packed by Frankton Ideal Canning Co. Elwood, Ind." The remainder of the said article was labeled in part: (Can) "Laclede Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 10, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

**14266. Adulteration of tomato pulp and tomato puree. U. S. v. 209 Cases of Tomato Pulp and 163 Cases of Tomato Puree. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20812, 20813, 20814, 20815, 20816. I. S. Nos. 4352-x, 4353-x, 4354-x. S. No. C-4941.)

On February 3, 1926, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 209 cases of tomato pulp and 163 cases of tomato puree, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Cates Canning Co., Cates, Ind., on or about November 24, 1925, and transported from the State of Indiana into the State of Missouri, and charging adulteration in violation of the food and drugs act. Twenty-eight cases of the product were labeled in part: "Copeco Brand Puree Tomatoes."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On May 10, 1926, 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.

W. M. JARDINE, *Secretary of Agriculture.*

**14267. Adulteration and misbranding of butter. U. S. v. 150 Pounds, et al., of Butter. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 20749, 20750, 20751, 20752. I. S. Nos. 3142-x, 3143-x, 3144-x, 3145-x. S. No. C-4905.)

On December 9, 1925, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 255 pounds of butter, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the H. & F. Creamery Co., from Superior, Wis., in part November 28, 1925, and in part December 1, 1925, and transported from the State of Wisconsin into the State of Minnesota, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Clear Lake Brand Creamery Butter \* \* \* H. & F. Creamery Co. One Pound Net Superior, Wis."

Adulteration of the article was alleged in the libels for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.