

16660. Adulteration of walnut meats. U. S. v. 19 Boxes of Walnut Meats. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23694. I. S. No. 0378. S. No. 1936.)

On or about May 15, 1929, the United States attorney for the Eastern District of Washington, 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 19 boxes of walnut meats, remaining in the original unbroken packages at Spokane, Wash., consigned by the Southern California Supply Co., Los Angeles, Calif., alleging that the article had been shipped from Los Angeles, Calif., on or about March 6, 1929, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Invincible Brand. Distributed by the Southern California Supply Co., Inc., * * * Los Angeles, Calif."

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

On June 24, 1929, the Roundup Grocery Co., Spokane, Wash., and the Southern California Supply Co. (Inc.), Los Angeles, Calif., having appeared as claimants for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimants upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold or otherwise disposed of in violation of law, and until reconditioned in a manner satisfactory to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16661. Misbranding of tomato catsup. U. S. v. 14 Cases of Tomato Catsup. Product ordered released under bond. (F. & D. No. 22958. I. S. No. 01463. S. No. 1027.)

On August 3, 1928, 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 14 cases of tomato catsup, remaining in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Morgan Packing Co., Austin, Ind., on or about July 7, 1928, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "Califo Brand Catsup. Contents one pound 12 ounces. Distributed by Coast Products Co."

It was alleged in the libel that the article was misbranded in that the designation "Tomato Catsup" was false and misleading and deceived and misled the purchaser when applied to an artificially colored article.

On December 3, 1928, the Morgan Packing Co., Austin, Ind., appeared and filed its answer and petition for delivery of the property and tendered a bond in the sum of \$500, conditioned as provided by law. The court having approved said bond, ordered that the product be delivered to the claimant upon payment of costs.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16662. Adulteration of butter. U. S. v. 18 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23690. I. S. No. 03853. S. No. 1952.)

On May 6, 1929, the United States attorney for the District of New Jersey, 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 18 tubs of butter at Newark, N. J., alleging that the article had been shipped by the Alta Vista Farmers Creamery Association, from Alta Vista, Iowa, on or about May 1, 1929, and transported from the State of Iowa into the State of New Jersey, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that excessive moisture had been mixed and packed with the said article, and had been substituted in part for butterfat in which it was deficient. Adulteration was alleged for the further reason that a valuable constituent, milk fat, had been in part abstracted from the article.

On June 12, 1929, the Great Atlantic & Pacific Tea Co., Newark, N. J., 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 by the court that the product be released to the said claimant