

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance, since an examination of the product showed the presence of decomposed eggs.

On November 21, 1929, Armour & Co., 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 by the court that the product be released to the said claimant upon payment of costs and execution of a bond in the sum of \$5,000, conditioned in part that the cans containing good eggs be separated from those containing bad eggs, and the latter destroyed or denatured.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16887. Misbranding of tomato paste. U. S. v. 23 Cases of Tomato Paste. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24182. I. S. No. 022295. S. No. 2409.)

On October 25, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 23 cases of tomato paste, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Davis Canning Co., Laurel, Del., alleging that the article had been shipped from Laurel, Del., on or about October 8, 1929, and transported from the State of Delaware into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded in that the statements appearing on the label, "Salsa di Pomodoro al basilico Colombina Brand Pure Tomato Paste with basil Net Weight 6 Oz.," were false and misleading and deceived and misled the purchaser.

On December 4, 1929, John Price & Co., Philadelphia, Pa., having appeared as claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16888. Misbranding of tomato paste. U. S. v. 23 Cases of Tomato Paste. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24181. I. S. No. 022297. S. No. 2408.)

On October 25, 1929, the United States attorney for the Eastern District of Pennsylvania, 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 23 cases of tomato paste, remaining in the original unbroken packages at Chester, Pa., consigned by the Davis Canning Co., Laurel, Del., alleging that the article had been shipped from Laurel, Del., on or about October 2, 1929, and transported from the State of Delaware into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act.

Misbranding of the article was alleged in the libel for the reason that the statement "Salsa di Pomodoro * * * Pure Tomato Paste," borne on the label, was false and misleading and deceived and misled the purchaser in that the said statement represented that the article was made solely from tomatoes, whereas it contained added coloring, cochineal, which was undeclared upon the label.

On December 4, 1929, the Chester Wholesale Grocery Co., Chester, Pa., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16889. Adulteration of figs. U. S. v. 28 Sacks of Dried Black Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24180. I. S. No. 05992. S. No. 2422.)

On October 24, 1929, the United States attorney for the Northern District of California, 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 28 sacks of dried black figs, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by