

20790. Adulteration of rice. U. S. v. 600 Bags of Rice. Product released under bond. (F. & D. no. 29842. Sample no. 24570-A.)

This case involved an interstate shipment of rice that was found to contain mouse excreta, weevils, beetles, and larvae.

On February 11, 1933, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States a libel praying seizure and condemnation of 600 bags of rice at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about January 24, 1933, by the Arkansas Rice Co., from Stuttgart, Ark., to Milwaukee, Wis., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Rice * * * Arkansas Rice Co., Inc., Stuttgart, Arkansas."

It was alleged in the libel that the article was adulterated in that it consisted of a filthy vegetable substance.

On March 3, 1933, the Arkansas Rice Co., Stuttgart, Ark., appeared and petitioned release of the property and executed a bond in the sum of \$500, conditioned that the product would not be disposed of in violation of the Food and Drugs Act or any other law. On March 4, 1933, the court ordered the goods released to the claimant.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20791. Adulteration and misbranding of tomato paste. U. S. v. 88 Cases and 25 Cases of Tomato Paste. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. nos. 29763, 29764. Sample nos. 7850-A, 7852-A, 25270-A.)

These cases involved an article represented to be tomato paste, which consisted of a strained tomato product insufficiently concentrated to be described as tomato paste.

On January 23, 1933, the United States attorney for the District of Puerto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States libels praying seizure and condemnation of 113 cases of tomato paste. It was alleged in the libels that the article had been shipped into Puerto Rico in two consignments on or about November 9 and December 15, 1932, respectively, by the Pratt-Low Preserving Co., from Santa Clara, Calif., that it was being sold and offered for sale in Puerto Rico by J. Gus Lallande of San Juan, P.R., and Angel Lliteras and Bello & Diaz, of Ponce, P.R., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: "La Huerta—Pasta De Tomate * * * Pratt-Low Preserving Co., Santa Clara, Cal., U.S.A.—La Huerta, California."

The libels charged that the article was adulterated in that an insufficiently concentrated, strained tomato product had been substituted for tomato paste which the article purported to be.

Misbranding was alleged for the reason that the statement on the label, "Pasta De Tomate", was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article.

On March 25, 1933, J. Gus Lallande, San Juan, P.R., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of bonds totaling \$350, conditioned that it be relabeled.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20792. Misbranding of salad oil. U. S. v. 200 Cases of Salad Oil. Consent decree entered. Product released under bond. (F. & D. no. 29662. Sample no. 12028-A.)

This case involved an interstate shipment of a product, labeled "Olivita Brand Olio", which consisted in large part of cottonseed oil with only a small amount of olive oil present in the article.

On December 21, 1932, 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 a libel praying seizure and condemnation of 200 cases of salad oil at Bayonne, N.J., alleging that the article had been shipped in interstate commerce on or about September 16 and September 22, 1932, by the Southern Cotton Oil Co., from Savannah, Ga., to Bayonne, N.J.,