

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that the statements on the label, "Fancy", "Highest Quality", and "Guaranteed to Comply with all Pure Food Laws", were false and misleading and tended to deceive and mislead the purchaser.

On December 12, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24142. Adulteration of canned tomatoes. U. S. v. 99 Cases of Canned Tomatoes. Default decree of condemnation and destruction. (F. & D. no. 34335. Sample no. 2958-B.)

This case involved an interstate shipment of canned tomatoes which were found to be in part decomposed and undergoing progressive decomposition.

On November 9, 1934, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 99 cases of canned tomatoes at Akron, Ohio, alleging that the article had been shipped in interstate commerce on or about August 2, 1934, by the Fairmount Packing Co., from Fairmount, Md., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fairmount Brand Tomatoes * * * Packed by Fairmount Packing Co. Fairmount, Md."

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed vegetable substance.

On December 21, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24143. Adulteration of butter. U. S. v. 68 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 34371. Sample no. 17614-B.)

This case involved an interstate shipment of butter, samples of which were found to contain rodent hairs and mold.

On November 1, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 68 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 17, 1934, by the Fairview Creamery Co., from Houston, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On December 8, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24144. Adulteration of canned mackerel. U. S. v. 200 Cases of Canned Mackerel. Default decree of condemnation and destruction. (F. & D. no. 34377. Sample no. 11420-B.)

This case involved an interstate shipment of canned mackerel which was found to be in part decomposed.

On December 19, 1934, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 200 cases of canned mackerel at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about September 19, 1934, by the French Sardine Co., Inc., from Terminal Island, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Eatwell Brand California Mackerel * * * Packed by French Sardine Co., Inc. Terminal Island, California."

The article was alleged to be adulterated in that it consisted in part of a decomposed and putrid animal substance.

On December 28, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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