

24741. Adulteration of canned raspberries. U. S. v. 20 Cartons of Canned Raspberries. Default decree of condemnation and destruction. (F. & D. no. 35163. Sample no. 26350-B.)

This case involved an interstate shipment of canned raspberries that were worm- and insect-infested.

On February 21, 1935, the United States attorney for the District of Montana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cartons of canned raspberries at Billings, Mont., alleging that the article had been shipped in interstate commerce on or about January 30, 1935, by the Olympia Canning Co., from Olympia, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Olympia Brand Red Raspberries * * * Packed by Olympia Canning Co. Olympia, Wash."

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

On May 29, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24742. Adulteration of tomato puree. U. S. v. 100 Cases and 197 Cases of Tomato Puree. Default decrees of condemnation and destruction. (F. & D. nos. 35164, 35185. Sample nos. 20814-B, 20824-B.)

These cases involved canned tomato puree that contained excessive mold.

On February 21 and February 27, 1935, the United States attorney for the Western District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 297 cases of canned tomato puree in part at Pittsburgh, Pa., and in part at McKeesport, Pa., alleging that the article had been shipped in interstate commerce on or about January 12, 1935, by the Minster Canneries, Inc., from Minster, Ohio, and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "V and H Fancy Whole Tomato * * * Packed by Minster Canneries, Inc. Minster, O." The remainder was labeled in part: "Master Chef Brand Whole Tomato Puree * * * Distributed by Potter-McCune Co. McKeesport, Pa."

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

On June 8, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24743. Adulteration of tomato catsup. U. S. v. 24 Cases, et al., of Tomato Catsup. Default decrees of condemnation and destruction. (F. & D. nos. 35178, 35224, 35331. Sample nos. 22819-B, 22964-B, 26005-B.)

These cases involved interstate shipments of tomato catsup that contained excessive mold.

On February 25, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of tomato catsup at Lowell, Mass. On March 7 and April 4, 1935, libels were filed in the District of Minnesota against 119 cases of tomato catsup at Minneapolis, Minn. The libels alleged that the article had been shipped in interstate commerce in various shipments on or about October 6, December 11, 1934, and March 2, 1935, in part in the name of the Naas Corporation of Indiana, and in part in the name of the Naas Corporation, from Sunman, Ind., and that it was adulterated in violation of the Food and Drugs Act. A portion of the article was labeled: "Steuben Brand Tomato Catsup * * * The Naas Corporation of Indiana Sunman, Ind." The remainder was labeled: "Sun-Red Brand Tomato Catsup * * * Naas Corporation Cohocton, N. Y."

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

On April 29 and June 23, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*