

a libel praying seizure and condemnation of one package and one drum of ground marjoram at Jersey City, N. J., alleging that the article had been shipped in interstate commerce in part on or about March 14, 1935, and in part on or about March 27, 1935, by B. Fischer & Co., Inc., from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Package) "Ground Marjoram"; (drum) "Fischer Mills Pure Marjoram."

The article was alleged to be adulterated in that earthy material had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and had been substituted in part for the article.

Misbranding was alleged for the reason that the statements, "Marjoram" and "Pure Marjoram", appearing on the respective labels, were false and misleading and tended to deceive and mislead the purchaser, when applied to an article containing earthy material. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, namely, marjoram.

On July 13, 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.*

24870. Adulteration of olives. U. S. v. 8 Barrels, et al., of Olives. Default decree of condemnation and destruction. (F. & D. no. 35388. Sample no. 13058-B.)

This case involved an interstate shipment of olives which were in large part moldy or fermented.

On April 15, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight full barrels and one partly filled barrel of Greek-style olives at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about February 26, 1935, by the California Olive Oil Manufacturing Co., from Stockton, Calif., and charging adulteration in violation of the Food and Drugs Act.

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

On August 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.*

24871. Adulteration of olives. U. S. v. 15 Barrels of Olives. Default decree of condemnation and destruction. (F. & D. no. 35396. Sample no. 12951-B.)

This case involved an interstate shipment of olives which were in large part moldy.

On April 17, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 barrels of olives at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about March 13, 1935, by the V. R. Smith Olive Co., from Lindsay, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Medium Greeks * * * From V. R. Smith Olive Company Lindsay, California."

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

On August 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.*

24872. Adulteration of butter. U. S. v. 46 Cases, et al., of Butter. Default decrees of condemnation and destruction. (F. & D. nos. 35407, 35408. Sample nos. 22638-B, 22639-B, 22640-B, 28493-B.)

These cases involved shipments of butter, samples of which were found to contain mold, hairs, parts of insects, and other extraneous matter.

On April 11 and April 15, 1935, the United States attorney for the Eastern District of Louisiana, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 141 cases of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about April 4, 1935, by Swift & Co., from Fort Worth, Tex.,

and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cresta Creamery Butter Distributed by Swift & Company * * * Chicago."

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

On July 15, 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.*

24873. Adulteration of anchovies sprats. U. S. v. 494 Cans of Anchovies Sprats. Default decree of condemnation and destruction. (F. & D. no. 35416. Sample no. 21980-B.)

This case involved imported anchovies sprats which were found to be undergoing active bacterial spoilage.

On April 24, 1935, 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 494 cans of anchovies sprats at New York, N. Y., alleging that the article had been shipped by Sillkungen's Konservfabriker, from Gothenburg, Sweden, on or about October 16, 1934, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Made in Sweden Sillkungen's Swedish Original Anchovies Sprats * * * Sillkungen's Konservfabriker Skärhamn, Sweden."

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

On June 26, 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.*

24874. Adulteration of tomato paste. U. S. v. 1,159 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. no. 35423. Sample no. 31818-B.)

This case involved an interstate shipment of tomato paste that contained worm and insect debris.

On May 4, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,159 cases of tomato paste at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 27, 1934, by the F. E. Booth Co., from Oakland, Calif., 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 vegetable substance.

On September 5, 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.*

24875. Adulteration of anchovies sprats. U. S. v. 6 Cartons and 831 Cans of Anchovies Sprats. Default decrees of condemnation and destruction. (F. & D. nos. 35435, 35457. Sample nos 21981-B, 21982-B.)

These cases involved imported Swedish anchovies sprats which were found to be undergoing active decomposition.

On April 29 and May 4, 1935, 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 libels praying seizure and condemnation of 6 cartons and 831 cans of anchovies sprats at New York, N. Y., alleging that the article had been shipped by Aktiebolaget Corners Konservfabrik, from Lysekil, Sweden, arriving at the port of New York on or about November 23, 1934, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Swedish Anchovies Sprats * * * A B [or "Aktiebolaget"] Corners Konservfabrik, Lysekil, Sweden."

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

On July 17, 1935, no claimant having appeared, judgments of condemnation were entered. On July 27, 1935, the decrees were amended to provide that the product be destroyed in the presence of the collector of customs.

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