

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

On June 18, 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.*

24951. Adulteration of canned milk. U. S. v. 6 Cases and 34 Cases of Canned Milk. Default decree of condemnation and destruction. (F. & D. no. 35546. Sample no. 26724-B.)

This case involved an interstate shipment of canned milk which was in part rancid and decomposed.

On May 25, 1935, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 40 cases of canned milk at Ripon, Calif., alleging that the article had been shipped in interstate commerce on or about March 15, 1935, by Lipscomb Bros., Inc., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Condensed Sweetened Whole Milk prepared for Southern Packers, Inc., New Orleans, La."

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

On September 12, 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.*

24952. Adulteration of shrimp. U. S. v. 1 Box of Shrimp. Default decree of condemnation and destruction. (F. & D. no. 35551. Sample no. 29063-B.)

This case involved a shipment of shrimp which was in part decomposed.

On May 6, 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 one box of shrimp at Boston, Mass., consigned on or about May 4, 1935, alleging that the article had been shipped in interstate commerce by J. J. Hanson, Inc., from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act.

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

On July 1, 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.*

24953. Adulteration of tomato puree. U. S. v. 53 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. & D. no. 35578. Sample no. 33091-B.)

This case involved a shipment of tomato puree that contained excessive mold.

On May 29, 1935, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 53 cases of tomato puree at Oklahoma City, Okla., consigned by the LaFeria Canning Co., LaFeria, Tex., alleging that the article had been shipped in interstate commerce on or about January 24, 1935, from the State of Texas into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Valley Red Brand Tomato Puree * * * Packed by La Feria Canning Co. La Feria, Texas."

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

On August 1, 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.*

24954. Adulteration of canned tuna. U. S. v. 500 Cases and 300 Cases of Canned Tuna. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. & D. no. 35571. Sample nos. 33302-B, 33303-B.)

This case involved a shipment of canned tuna which was in part decomposed.

On May 29, 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 800 cases of canned

tuna at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about April 17, 1935, by Cohn-Hopkins, Inc., from San Diego, Calif., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Matfisco Brand Ocean's Best Light Meat Tuna * * * National Fisheries, Ltd. Distributors Chicago." The remainder was labeled in part: "Our Quality Brand California Tuna Light Meat * * * Packed by Cohn-Hopkins, Inc. Quality Packers San Diego, Calif."

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

On July 17, 1935, Cohn-Hopkins, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the decomposed portion be segregated and destroyed.

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

24955. Adulteration and misbranding of macaroni, egg noodles, and spaghetti. U. S. v. 10 Cartons of Macaroni, et al. Default decrees of condemnation and destruction. (F. & D. nos. 35572, 35573, 35575. Sample nos. 30242-B to 30250-B, incl.)

These cases involved interstate shipments of alimentary paste that contained added soybean meal and a yellow coloring matter.

On May 29, 1935, the United States attorneys for the Southern District of New York and the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 83 cartons or cases of macaroni, spaghetti, and egg noodles at New York, N. Y., and 57 cases of macaroni and spaghetti at Brooklyn, N. Y., alleging that the articles had been shipped in interstate commerce between the dates of March 12 and May 16, 1935, by the Kurtz Bros. Corporation, from Philadelphia, Pa., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part, variously: "Macaroni Ace Brand Manufactured by Kurtz Brothers Corporation Philadelphia, Pa."; "Pasquelina Brand 100% Pure Semolina B. Mandel & Co.—New York, N. Y. * * * Spaghetti"; "King Brand Pure Egg Noodles Manufactured by Kurtz Brothers Corporation Philadelphia, Pa."; "Conte di Savoia High Grade Durum Wheat Semolina Macaroni Manufactured by Kurtz Brothers Corporation Philadelphia, Pa."; "Merrisalco Finest Quality Macaroni * * * Spaghetti Merrisalco Food Products Corp. Brooklyn—New York"; "Cara Brand Extra Fine Quality Products Pure Semolina Gragnano Style * * * Spaghetti Packed for Acierno Bros., Brooklyn, N. Y."; "Spaghetini."

The articles were alleged to be adulterated in that products containing soybean meal and an added color had been substituted for macaroni, spaghetti, and egg noodles; and for the further reason that they were colored in a manner whereby inferiority was concealed.

Misbranding was alleged with respect to portions of the products for the reason that the following statements on the labels were false and misleading and tended to deceive and mislead the purchaser: "Macaroni"; "100% Pure Semolina * * * Spaghetti", "Pure Egg Noodles"; "Finest Quality Macaroni"; "High Grade Durum Wheat Semolina."

On June 26 and July 25, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

24956. Adulteration and misbranding of macaroni. U. S. v. 102 Cases and 17 Boxes of Macaroni. Default decrees of condemnation and destruction. (F. & D. nos. 35576, 35683. Sample nos. 30437-B, 31153-B.)

These cases involved shipments of macaroni that contained soybean meal and turmeric, a yellow coloring matter.

On May 29, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel (amended July 2, 1935) praying seizure and condemnation of 102 cases of macaroni at Hoboken, N. J. On June 26, 1935, a libel was filed against 17 boxes of macaroni at Newark, N. J. The libels charged that the article had been shipped in interstate commerce in various shipments between the dates of May 2 and June 8, 1935, by the Giancontieri Macaroni Corporation, from Brooklyn, N. Y., and that it was adulterated and misbranded in violation of the Food and Drugs Act. A portion of the article was labeled: "Marca Tre 'G' Macaroni Made from Pure Semolina * * * Manufactured and Guaranteed by Giancontieri Macaroni Corporation Brooklyn,