

**25702. Adulteration of tomato catsup. U. S. v. 35 Cases of Catsup. Default decree of condemnation and destruction. (F. & D. no. 36750. Sample no. 46351-B.)**

This case involved tomato catsup that contained filth resulting from worm and insect infestation.

On December 10, 1935, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 cases of catsup at Reno, Nev., alleging that the article had been shipped in interstate commerce on or about September 7, 1935, by the California Conserving Co., from Hayward, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "C S B California Home Brand Tomato Catsup Made by California Conserving Co."

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

On March 4, 1936, 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.*

**25703. Adulteration of butter. U. S. v. 58 Boxes of Butter. Default decree of condemnation and destruction. (F. & D. no. 36766. Sample no. 43679-B.)**

This case involved a shipment of butter that contained mold.

On October 9, 1935, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 58 boxes of butter at Concord, N. H., consigned about September 26, 1935, alleging that the article had been shipped in interstate commerce by Swift & Co., from Centerville, Iowa, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Swift's Premium Quality Brookfield Butter."

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

On November 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.*

**25704. Adulteration and misbranding of cheese. U. S. v. 16 Cheeses. Default decree of condemnation. Product delivered to charitable organization. (F. & D. no. 36785. Sample no. 50290-B.)**

This case involved cheese that was deficient in fat and contained excessive moisture.

On December 12, 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 16 cheeses at New York, N. Y., consigned by Sunrise Dairy Products Co., Inc., from Fremont, Ohio, alleging that the article had been shipped in interstate commerce on or about October 15, 1935, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Full Cream Cheese."

The article was alleged to be adulterated in that a substance deficient in fat and containing excessive moisture had been substituted in whole or in part for cheese, which the article purported to be.

Misbranding was alleged for the reason that the designation "Cream Cheese" was false and misleading and tended to deceive and mislead the purchaser, and for the further reason that the article was offered for sale under the distinctive name of another article, namely, cream cheese.

On January 18, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be delivered to a charitable organization.

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

**25705. Adulteration and misbranding of strawberry preserve. U. S. v. 8 Cartons of Strawberry Preserve. Default decree of condemnation and destruction. (F. & D. no. 36806. Sample no. 44106-B.)**

This case involved a shipment of alleged strawberry preserve which was deficient in fruit and contained added acid and pectin and excessive moisture.

On December 18, 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 eight cartons of