

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

On September 30, 1936, F. M. Ball & Co., 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 cans containing decomposed asparagus be segregated and eliminated.

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

26549. Adulteration and misbranding of fruit crystals. U. S. v. 5 Cases and 2 Cases of Wonder Fruit Crystals. Default decrees of condemnation and destruction. (F. & D. nos. 37910, 37911. Sample nos. 8341-C, 8342-C.)

These cases involved products consisting of mixtures of tartaric acid and sugar, artificially colored and slightly flavored with citrus oils, which were represented to be dehydrated orange, lemon, and lime juices, respectively.

On July 24, 1936, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of seven cases of assorted orange, lemon, and lime units, Wonder Fruit Crystals at Philadelphia, Pa., alleging that the articles had been shipped in interstate commerce on or about July 18 and July 20, 1936, by Molded Products Co., from Buffalo, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were in wax containers molded in the shape of an orange, lemon, or lime and were labeled: (Tag) "Wonder Fruit' Crystals * * * Molded Products Co., Buffalo, N. Y."

The articles were alleged to be adulterated in that mixtures of tartaric acid and sugar, artificially colored and slightly flavored with citrus oils, had been mixed and packed therewith so as to reduce or lower their quality or strength and had been substituted in part for dried orange, lemon, or lime juice, which the articles purported to be; and in that they were mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged in that the following devices, designs, and statements were false and misleading and tended to deceive and mislead the purchaser: The device or design of a molded wax orange, lemon, or lime and the statements, (tag) "* * * Fruit' Crystals"; (display card) "Use Lemons in Iced Tea, for making lemon pie, etc." Misbranding was alleged further in that the articles were offered for sale under the distinctive names of other articles.

On October 26, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

26550. Adulteration of canned salmon. U. S. v. Columbia River Packers Association, Inc. Plea of guilty. Fine, \$55. (F. & D. no. 37929. Sample nos. 41409-B, 43497-B, 47187-B, 49062-B, 49069-B, 49084-B, 50131-B, 50287-B, 50288-B, 50440-B, 51774-B, 52004-B, 52355-B, 52356-B, 52357-B, 52359-B, 52360-B, 52361-B, 52364-B, 52372-B, 52374-B, 52375-B.)

This case involved various shipments of canned salmon that was in part decomposed.

On October 6, 1936, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Columbia River Packers Association, Inc., Astoria, Oreg., alleging shipment by said company in violation of the Food and Drugs Act between the dates of August 24, 1935, and October 21, 1935, from the State of Oregon into the States of Minnesota, Massachusetts, Missouri, Nebraska, New York, Pennsylvania, and Iowa, of quantities of canned salmon that was adulterated. Certain lots were labeled "Bear Brand [or "Commerce Brand", "Fishermen's Brand", "Esquimaux Brand", or "West Coast Brand"] * * * Packed by Columbia River Packers Association." The remaining lots were labeled variously: "Rare Treat Brand * * * Paxton and Gallagher Co. Distributors Omaha"; "Heart's Delight Brand * * * Packed for Scoville, Brown & Co., Wellsville, N. Y."; "Big Value Brand Distributors S. Hamill Company, Keokuk, Iowa."

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

On October 6, 1936, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$55.

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