

27073. Adulteration of tomato paste. U. S. v. 34, 30, and 75 Cases of Tomato Paste. Decrees of condemnation. Decomposed portion destroyed; good portion released. (F. & D. nos. 38786, 38837, 38855. Sample nos. 12197-C, 12198-C, 26359-C.)

This product was in large part decomposed.

On December 9, 19, and 22, 1936, the United States attorneys for the Eastern District of New York and the District of Rhode Island, acting upon reports by the Secretary of Agriculture, filed in their respective district courts libels praying seizure and condemnation of 34 cases of tomato paste at Brooklyn, N. Y., and 105 cases of tomato paste at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about September 4 and 5, 1936, by the Flotill Products, Inc., from Stockton, Calif., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Flotta Brand [or "Sublime Brand"] Pure Tomato Paste * * * Packed by Flotill Products Inc., Stockton, Calif." The remainder was labeled: "Semaco Brand Naples Style Tomato Paste * * * Packed for Semolina Macaroni Co. Inc., Providence, R. I."

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

On February 11, 1937, the Flotill Products, Inc., claimant for the goods seized at Brooklyn, N. Y., having consented to the entry of a decree, judgment was entered providing that the goods might be released under bond on condition that the decomposed portion be separated therefrom and destroyed, otherwise that it all be condemned and destroyed. The claimant having failed to comply with the conditions of release, the goods were destroyed. On April 6, 1937, judgments were entered condemning and forfeiting the two lots seized at Providence, R. I. and ordering that the decomposed portions be destroyed and the good portion delivered to the firms where the seizure was made.

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

27074. Adulteration of dressed chickens. U. S. v. 8 Barrels of Dressed Chickens. Default decree of condemnation and destruction. (F. & D. no. 38842. Sample no. 26155-C.)

This product was in part decomposed.

On December 21, 1936, 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 eight barrels of dressed chickens at Chicago, Ill., alleging that they had been shipped in interstate commerce on or about December 1, 1936, by the Worthington Creamery Produce Co., from Worthington, Minn., 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 filthy, decomposed, or putrid animal substance.

On February 15, 1937, 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.*

27075. Adulteration of apples. U. S. v. 67 Boxes of Apples. Default decree of condemnation and destruction. (F. & D. no. 38845. Sample nos. 26129-C, 26146-C.)

These apples were contaminated with arsenic and lead.

On November 30, 1936, 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 67 boxes of apples at Chicago, Ill., alleging that they had been shipped in interstate commerce on or about October 22, 1936, by the Apple Growers Association from Odell, Oreg., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Blue Diamond Brand."

It was alleged to be adulterated in that it contained added poisonous and deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On January 27, 1937, 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.*