

The articles were alleged to be adulterated in that they were mixed and colored in a manner whereby inferiority was concealed.

With the exception of one lot, they were alleged to be misbranded in that the statements "100% Durum Semolina" were false and misleading and tended to deceive and mislead the purchaser when applied to articles which contained little or no semolina. The lot labeled on the main label "Fresh Egg Noodles" and on the sticker "Coiled Spaghetti" was alleged to be misbranded in that the statement "Fresh Egg Noodles" was false and misleading and tended to deceive and mislead the purchaser when applied to coiled spaghetti, which it purported to be.

On January 6, 1938, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

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

28530. Adulteration of tomato puree. U. S. v. 198 Cases of Tomato Puree. Default decree of condemnation and destruction. (F. & D. No. 41078. Sample No. 33936-C.)

This product contained excessive mold.

On December 11, 1937, 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 198 cases of tomato puree at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 18, 1937, by Ray Bros. & Noble Canning Co. from Hobbs, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sunny Brand Tomato Puree * * * Distributors B. A. Railton Co., Chicago Milwaukee."

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

On January 6, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

28531. Adulteration of tomato puree. U. S. v. 725 Cases of Tomato Puree. Consent decree of condemnation and destruction. (F. & D. No. 41100. Sample No. 33935-C.)

This product contained excessive mold.

On December 15, 1937, 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 725 cases of tomato puree at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 18, 1937, by the Clamme Canning Co., from Hartford City, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Barco Brand Tomato Puree B. A. Railton Company Chicago Milwaukee."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On January 6, 1938, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

28532. Adulteration of currants. U. S. v. 20 Cases of Currants. Default decree of condemnation and destruction. (F. & D. No. 41134. Sample No. 60585-C.)

This product was insect-infested.

On December 17, 1937, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 cases of currants at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about February 15, 1937, by Otzen Packing Co., from San Francisco, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Otzen's Re-cleaned Grecian Currants."

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

On January 29, 1938, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

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