

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 13951-14000

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 5, 1926]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

13951. Adulteration of canned shrimp. U. S. v. 50 Cases, et al., of Canned Shrimp. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20555, 20556, 20557. I. S. Nos. 6082-x, 6083-x, 6084-x. S. No. E-5544.)

On November 4 and 24 and December 30, 1925, respectively, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 1,007 cases of canned shrimp, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Houma Packing Co., alleging that the article had been shipped from Houma, La., on or about July 24, 1925, and transported from the State of Louisiana into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Rita Brand Shrimp."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On November 23 and December 14, 1925, and on January 20, 1926, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

13952. Adulteration and misbranding of cottonseed oil. U. S. v. 59 Cans of Cottonseed Oil. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19886. I. S. No. 24032-v. S. No. C-4675.)

On March 10, 1925, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 59 cans of cottonseed oil, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped

A. Morici & Co., from Chicago, Ill., on or about February 17, 1925, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Case) "6 Cans 1 Gal. each of Ditalia Cotton-seed Oil, flavored with Olive Oil," (can) "Extra Virgin Olive Oil Best For Table And Medical Use This Oil Is Guaranteed To Be Pure Under Any Chemical Analysis Contents One Gallon Olive Oil Finissimo Cottonseed Oil Rosa Ditalia Brand. A. Morici & Co Chicago, Ill."

Adulteration of the article was alleged for the reason that a substance, corn oil and cottonseed oil, had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Olio Finissimo Extra Virgin Sublime Best For Table And Medical Use" and "This Oil Is Guaranteed To Be Pure Under Any Chemical Analysis—Contents One Gallon," borne on the cans, were false and misleading and deceived and misled the purchaser, and the statements "Cottonseed Oil," borne on the can in small type, and "Cottonseed Oil Flavored With Olive Oil," borne on the carton containing 6 cans of the product, did not correct the misbranding. Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 7, 1925, M. Catalano Co., Milwaukee, Wis., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

13953. Adulteration and misbranding of tomato sauce. U. S. v. 250 Cases and 34 Cases of Tomato Sauce. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19841. I. S. Nos. 19134-v, 19135-v. S. No. C-4649.)

On February 26, 1925, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 284 cases of tomato sauce, remaining in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped by Antonio Morici Co., from Chicago, Ill., on or about November 15, 1924, and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. A portion of the article was labeled in part: (Case) "Contadina Brand Tomato Sauce. Packed by Hershel California Fruit Products Co. Inc. San Jose, Calif.," (can) "Tomato Sauce * * * Salsa di Pomodoro." The remainder of the said article was labeled in part: (Can) "Contadina Brand Naples Style Tomato Sauce. Packed By Hershel California Fruit Products Company San Jose, Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, an artificially colored tomato paste, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statements "Tomato Paste [Sauce]" and "Salsa Di Pomodoro," borne on the labels, were false and misleading and deceived and misled the purchaser.

On November 7, 1925, the M. Catalano Co., Milwaukee, Wis., claimant, having admitted the material allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

13954. Adulteration and misbranding of meat meal. U. S. v. 60 Bags of Meat Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 20032. I. S. No. 22299-v. S. No. E-5301.)

On April 23, 1925, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 60 bags of meat meal, remaining in the original unbroken packages at Mount Jackson, Va., alleging that the article had been shipped by the Mutual Rendering Co., Inc., from Philadelphia, Pa., February 17, 1924, and transported from the State of Pennsylvania into the State of Virginia, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. 55 Per Cent Mureco Meat Meal."