

United States Department of Agriculture

SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 14001-14054

[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]

14001. Adulteration and misbranding of tomato pulp. U. S. v. 20 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19474. I. S. No. 3739-v. S. No. E-5102.)

On or about January 15, 1925, the United States attorney for the Southern District of Florida, 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 20 cases of tomato pulp, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Greco Canning Co., Inc., from San Francisco, Calif., on or about November 1, 1924, and transported from the State of California into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "De-Luxe Brand Concentrated Tomato Pulp Packed By Greco Canning Co. San Jose, Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, an artificially colored tomato paste or sauce, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomato Pulp," borne on the label, was false and misleading and deceived and misled the purchaser when applied to a tomato sauce containing artificial color not declared upon the label.

On April 27, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was 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.*

14002. Adulteration and misbranding of canned oysters. U. S. v. 12 Cases, et al., of Canned Oysters. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 20151, 20152, 20153. I. S. No. 24719-v. S. No. C-4755.)

On or about July 7, 17, and 20, 1925, respectively, the United States attorney for the District of South Dakota, 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 56 cases of canned oysters, remaining in the original unbroken packages in part at Sioux Falls, S. Dak., and in part at Deadwood, S. Dak., alleging that the article had been shipped by the Marine Products Co., from Biloxi, Miss., on or about January 10, 1925, and transported from the State of Mississippi into the State of South Dakota, and charging adulteration and misbranding in violation of the food and drugs act.