

**19603. Adulteration of tomato catsup. U. S. v. 50 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27574. I. S. No. 12616. S. No. 5523.)**

Samples of canned tomato catsup from the shipment herein described having been found to contain excessive mold, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Washington.

On December 21, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 50 cases of the said tomato catsup, remaining in the original unbroken packages at Walla Walla, Wash., alleging that the article had been shipped in interstate commerce by the Rocky Mountain Packing Corporation from Murray, Utah, on or about August 14, 1931, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Royal Red Brand Choice Catsup \* \* \* Distributed by Van Alen Canning Corporation, Ogden & Tremonton, Utah."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On February 19, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19604. Adulteration of chestnuts. U. S. v. 4 Barrels of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27273. I. S. No. 45065. S. No. 5459.)**

Samples of chestnuts from the shipment herein described having been found to be partly moldy and decomposed, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On November 25, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 4 barrels of chestnuts at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about October 22, 1931, by Ettore Penna, from New York, N. Y., and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On February 11, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19605. Adulteration of walnuts. U. S. v. 10 Boxes of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27392. I. S. No. 45474. S. No. 5589.)**

The walnuts in the shipment involved in this action having been found to contain an excessive amount of inedible nuts, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Illinois.

On December 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 boxes of walnuts at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 5, 1931, by the Boston Terminal Refrigerating Co., from Boston, Mass., to Chicago, Ill., and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed, filthy, and putrid vegetable substance.

On February 11, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19606. Adulteration of dried black figs. U. S. v. 47 Boxes of Dried Black Figs. Default decree of destruction entered. (F. & D. No. 27602. I. S. No. 31964. S. No. 5632.)**

Samples of dried black figs taken from the interstate shipments involved in this action were found to be partially decomposed and insect-infested.

On December 23, 1931, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 47 boxes of dried black figs, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce by A. Ghianda, from Oroville, Calif., on or about November 23 and December 5, 1931, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Shasta Brand Fancy Black Mission Figs, A. Ghianda, Thermalito, California."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On February 20, 1932, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19607. Adulteration and misbranding of buckwheat flour. U. S. v. 24 $\frac{3}{8}$  Cases of Buckwheat Flour. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27207. I. S. No. 40467. S. No. 5374.)**

Examination of samples of alleged buckwheat flour from the shipment herein described showed that the article consisted in part of wheat flour.

On November 5, 1931, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 24 $\frac{3}{8}$  cases of the said product at Chicago, Ill., alleging that the article had been shipped in interstate commerce by the William Hayden Milling Co., from Tecumseh, Mich., on or about October 15, 1931, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Package) "Iga Brand Self Rising Buckwheat Flour \* \* \* Packed for Independent Grocers Alliance Distributing Co., Chicago, Illinois." The words "Buckwheat Flour" appeared on the principal labels and repeatedly on the side panels, and on one side panel there appeared the statement, "A carefully blended mixture of specially processed Buckwheat Flour and strong Winter wheat flour."

It was alleged in the libel that the article was adulterated in that wheat flour had been substituted for buckwheat flour, which the article purported to be.

Misbranding was alleged for the reason that the statement on the label, "Buckwheat Flour," in large, conspicuous type was false and misleading, and deceived and misled the purchaser when applied to the article which consisted in large part of wheat flour, which wheat flour was declared in small and practically unnoticeable type on the side panel and not in type of the same size as the words "Buckwheat Flour." Misbranding was alleged for the further reason that the article was offered for sale under the distinctive name of another article, to wit, buckwheat flour, which it purported to be.

On February 11, 1932, 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.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19608. Adulteration of dried black figs. U. S. v. 23 Boxes of Dried Black Figs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27350. I. S. No. 22526. S. No. 5531.)**

Samples of dried black figs taken from the interstate shipment covered by this action were found to be insect-infested and decomposed.

On December 10, 1931, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 boxes of the said dried black figs, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce by the Joe Mangini Draying Co. (Inc.), from San Francisco, Calif., on or about October 31, 1931, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Box) "Black Mission Figs Grown and Packed by T. M. Atwood, Oroville, Calif."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.