

district court a libel praying seizure and condemnation of 125 barrels of frozen raspberries at Brooklyn, N. Y., alleging that the article had been shipped in interstate commerce, on or about December 13, 1935, by the National Packing Corporation, from Tacoma, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cuthbert Raspberries * * * R. D. Bodle Co. Pier 4, Seattle, Washington."

The article was alleged to be adulterated in that it was worm- and insect-infested, and in that it consisted in whole or in part of a filthy vegetable substance.

On April 15, 1936, the R. D. Bodle Co., having appeared as claimant for the article and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that the unfit portion be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25989. Adulteration of Brazil nuts. U. S. v. 26 Bags of Brazil Nuts. Consent decree of condemnation. Product released under bond for segregation and destruction of decomposed nuts. (F. & D. no. 37190. Sample nos. 41571-B, 41575-B.)

This case involved an interstate shipment of a quantity of Brazil nuts that contained moldy and rancid or decomposed nuts.

On February 13, 1936, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 bags of Brazil nuts at St. Paul, Minn., alleging that the article had been shipped in interstate commerce on or about November 6, 1935, by W. R. Grace & Co., from New York, N. Y., and that it was adulterated 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 decomposed vegetable substance.

On April 17, 1936, C. A. Pearson, Inc., claimant, having admitted the allegations of the libel and having consented to a decree, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that the decomposed nuts be segregated and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25990. Adulteration of canned salmon. U. S. v. 354 Cases, et al., of Canned Salmon. Decrees of condemnation and forfeiture. Portion released under bond conditioned that decomposed salmon be destroyed. Remainder ordered destroyed unconditionally. (F. & D. nos. 37195, 37339. Sample nos. 29917-B, 50899-B, 50900-B, 50901-B.)

These cases involved shipments of canned salmon that was in part decomposed.

On February 25, 1936, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of three shipments involving 354, 488, and 656 cases, respectively, of canned salmon at New York, N. Y. On March 13, 1936, a libel was filed in the Northern District of Alabama against 118 cases of canned salmon at Birmingham, Ala. The libels alleged that the article had been shipped in interstate commerce on or about October 10 and December 21, 1935, from Seattle, Wash., by William W. McBride (William W. McBride Co.), and that it was adulterated in violation of the Food and Drugs Act. A portion of the article was labeled: "King's Taste Pink Salmon * * * Vacuum Packed for Lighthouse Packing Co. Point Roberts, Washington, U. S. A." The remainder was labeled: "Sprite Brand Select Pink Salmon * * * Farwest Fishermen, Inc., Seattle, Wash."

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

On May 29, 1936, William W. McBride, acting as agent for the Quality Seafood Packing Co. and for the Lighthouse Packing Co., claimants, respectively, in two proceedings involving 842 cases of the King's Taste brand seized at New York, N. Y., having admitted the allegations of the libels, judgments of condemnation were entered and the product involved in said proceedings was ordered released under bonds for segregation and destruction of the unfit portion. On May 29, 1936, an order having been entered providing for withdrawal of the claim in the remaining proceeding in New York, involving 656 cases of the King's Taste brand, judgment of condemnation was entered and it was ordered that the product involved in said proceeding be destroyed and that costs be taxed against the claimant, William W.

McBride. On April 24, 1936, no claim having been filed for the lot seized at Birmingham, Ala., judgment of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25991. Adulteration and alleged misbranding of tomato juice. U. S. v. 15 and 14 Cases of Tomato Juice. Default decree of destruction. (F. & D. no. 37201. Sample nos. 52829-B, 52830-B.)

This case involved a shipment of tomato juice that contained excessive mold and a part of which was short in volume.

On February 17, 1936, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 29 cases of tomato juice at Joplin, Mo., alleging that the article had been shipped in interstate commerce on or about January 16, 1936, by the Robinson Canning Co., from Siloam Springs, Ark., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. A portion of the article was labeled, (can) "Siloam Brand Tomato Juice Contents 1 Pt. 2 Fl. Oz. Packed by Robinson Canning Co. Siloam Springs, Ark."; the remainder was labeled, (can) "King of Ozarks Brand Contents 10 Fl. Oz. Tomato Juice Packed by Robinson Canning Co., Robinson, Ark."

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

The product labeled "King of Ozarks Brand" was alleged to be misbranded in that the statement on the label, "Contents 10 Fl. Oz., was false and misleading and tended to deceive and mislead the purchaser when applied to a product in cans containing less than 10 fluid ounces; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On June 10, 1936, no claimant having appeared, the court found the article adulterated and ordered that it be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25992. Adulteration and misbranding of tomato juice. U. S. v. 245 Cases of Tomato Juice. Default decree of condemnation and destruction. (F. & D. no. 37203. Sample no. 59141-B.)

This case involved an interstate shipment of canned tomato juice that was found to contain mold and to be in part decomposed.

On or about February 18, 1936, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 245 cases of canned tomato juice at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about September 26 and November 19, 1935, by the Nelson Packing Co., from Springdale, Ark., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled: "First Pick Juice of Tomatoes 1 Pt. 2 Fl. Oz. Packed for Carroll, Brough & Robinson", or "First Pick Brand Juice of Fancy Tomatoes Contents 1 Pt. 2 Fl. Oz. Packed for Carroll, Brough & Robinson."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance. The article was alleged to be misbranded in that the statement "Juice of Fancy Tomatoes", borne on the label, was false and misleading and tended to deceive and mislead the purchaser, since said juice was made from moldy tomatoes.

On April 3, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

25993. Adulteration and misbranding of jam. U. S. v. 24 Cases of Sweet-Um Assorted Jam. Default decree of condemnation and forfeiture. (F. & D. no. 37204. Sample nos. 62255-B to 62258-B, incl.)

This case involved a shipment of a product represented to be jam but which was deficient in fruit and contained added acid, pectin, and water.

On March 9, 1936, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of a product labeled "Sweet-Um Assorted Jam" at Vicksburg, Miss., alleging that the article had been shipped in interstate commerce on or about January 20, 1936, by the