27156. Adulteration of tomato paste. U. S. v. 888 Cases of Tomato Paste. Portion of product condemned and destroyed; remainder exonerated and released. (F. & D. no. 36141. Sample no. 16065–B.)

This case involved tomato paste that in part contained filth resulting from worm infestation.

On August 16, 1935, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 888 cases of tomato paste at New York, N. Y., alleging that it had been shipped in interstate commerce on or about July 27, 1935, by the Uddo-Taormina Corporation from Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Fancy California Tomato Paste with Sweet Basilico Giardiniera Brand * * * Packed by La Sierra Heights Canning Co. Los Angeles, Calif."

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

On May 22, 1937, the Uddo-Taormina Corporation having appeared as claimant, judgment of condemnation and destruction was entered as to a portion of said shipment and the remainder was adjudged exonerated.

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

27157. Adulteration of crab meat. U. S. v. William Clayton Larrimore (W. C. Larrimore). Plea of guilty. Fine, $125 and costs. (F. & D. no. 36963. Sample nos. 27658–B, 27659–B, 42124–B, 55382–A, 55457–A.)

This case involved an interstate shipment of crab meat that contained fecal *Bacillus coli.*

On March 11, 1936, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William Clayton Larrimore, trading as W. C. Larrimore, St. Michaels, Md., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about August 15 and 22, 1933, and August 8 and 15, 1935, from the State of Maryland into the State of Pennsylvania of quantities of crab meat that was adulterated.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance due to pollution by fecal *B. coli.*

On May 12, 1937, the defendant entered a plea of guilty and the court imposed a fine of $125 and costs.

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

27158. Misbranding of cottonseed cake or meal. U. S. v. Transit Milling Co. Plea of guilty. Fine, $50. (F. & D. no. 37011. Sample no. 49179–B.)

This case involved cottonseed cake or meal that contained less protein than declared on the label.

On September 1, 1936, the United States attorney for the Eastern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Transit Milling Co., a corporation, Sherman, Tex., alleging shipment by said company in violation of the Food and Drugs Act on or about September 20, 1935, from the State of Texas into the State of Kansas of a number of sacks of cottonseed cake or meal that was misbranded. The article was labeled in part: (Tag) "Tranco Brand 43% Protein Cottonseed Cake or Meal * * * Guaranteed Analysis: Protein not less than 43% * * * Manufactured by Transit Milling Company Sherman, Texas—Galveston, Texas—Cairo, Illinois."

The article was alleged to be misbranded in that the statements, "43% Protein" and "Guaranteed Analysis: Protein not less than 43%", borne on tags attached to the sacks, were false and misleading and were borne on said tags so as to deceive and mislead the purchaser since the article contained less than 43 percent of protein; namely, not more than 39.44 percent of protein.

On April 12, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $50.

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

27159. Adulteration of canned salmon. U. S. v. Alaska Packers Association. Plea of guilty. Fine, $200. (F. & D. no. 37012. Sample nos. 13201–B, 13203–B, 26744–B, 26746–B.)

This case involved canned salmon that was in part decomposed.

On June 2, 1936, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the