

27595. Adulteration of tomato catsup. U. S. v. 36 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. & D. No. 39225. Sample No. 20405-C.)

Sample of this product were found to contain rodent hairs.

On March 18, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 cases of tomato catsup at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about November 4, 1936, by the J. Weller Co. from Oak Harbor, Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Bottles) "Hoffman House Tomato Catsup Packed By The J. Weller Co. Oak Harbor, Ohio."

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

On June 22, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27596. Adulteration of tomato paste. U. S. v. 48 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. No. 39229. Sample No. 35245-C.)

This product was undergoing active spoilage.

On March 17, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 48 cases of tomato paste at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about October 28, 1936, by the A. Hershel Canning Co. from Stockton, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Corina Brand * * * Pure Tomato Paste. Packed By A. Hershel Canning Co., Stockton, Cal."

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

On June 26, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

27597. Adulteration of canned tomato juice. U. S. v. 7,718 Cases of Tomato Juice. Consent decree of condemnation and destruction. (F. & D. No. 39237. Sample No. 33641-C.)

This product contained excessive mold.

On March 18, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 7,718 cases of tomato juice at Blue Island, Ill., alleging that the article had been shipped in interstate commerce on various dates from December 8 to December 31, 1936, and from January 4 to January 9, 1937, inclusive, by Libby, McNeill & Libby from Brazil, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Libby's Fancy Tomato Juice * * * Libby McNeill & Libby Chicago."

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

On June 7, 1937, Libby, McNeill & Libby having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

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

27598. Adulteration of canned salmon. U. S. v. Red Salmon Canning Co. Plea of guilty. Fine, \$150. (F. & D. No. 39489. Sample Nos. 4003-C, 4005-C, 4008-C, 4012-C, 4017-C, 4320-C, 4326-C.)

This product was in part decomposed.

On June 3, 1937, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Red Salmon Canning Co., a corporation, San Francisco, Calif., alleging shipment by said company in violation of the Food and Drugs Act, on or about August 12, 1936, from Naknek, Alaska, to San Francisco, Calif., of a quantity of canned salmon which was adulterated. Certain lots were labeled: (Cans) "Deep Sea Red Alaska Sockeye Red Salmon * * *

Packed by Red Salmon Canning Co. * * * Main Office San Francisco, California"; or "Army and Navy Brand Red Alaska Sockeye Salmon * * * Packed by Naknek Packing Co. at Bristol Bay, Alaska." The remaining lots were labeled: (Cases) "Lucille Brand Salmon Red Salmon Canning Co."; or "Deep Sea Red Salmon Packed by Red Salmon Canning Co."

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

On June 19, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$150.

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

27599. Misbranding of dehydrated and powdered Swiss Goat's Milk. U. S. v. 8 Boxes of Helm's Dehydrated Pure Swiss Goat's Milk, and 6 Tins of Helm's Powdered Whole Swiss Goat's Milk. Decrees of condemnation. Product delivered to a charitable organization. (F. & D. Nos. 39604, 39605. Sample Nos. 12798-C, 12799-C.)

The labeling of this product bore false and fraudulent curative or therapeutic claims, false and misleading claims regarding its mineral and vitamin content, and other misrepresentations.

On May 17, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of two lots consisting of 14 boxes or tins of dehydrated and powdered Swiss Goat's Milk at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about February 21 and May 3, 1937, by Helm Goat Milk Products from Grass Lake, Mich., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: (Package label of one lot) "Goat's Milk is approximately four times richer in iron"; (circular accompanying both lots) "* * * 60% of the milk used in Europe is goat's milk * * * Iron Goat's milk contains nearly four times as much iron as does cow's milk * * * Vitamines are found in great abundance in goat's milk. The vitamines constitute the living principles in foods. Goat's milk could rightly be named an antirachitic and antiscorbutic food."

It was alleged to be misbranded in that the statements appearing on the label and in the circulars contained in the packages were false and misleading when applied to an article that consisted essentially of fat, protein, milk sugar, water, and small proportions of inorganic substances including compounds of calcium, phosphorus, sodium, potassium, iron, and fluorine. The article was alleged to be misbranded further in that the circular shipped with both lots bore false and fraudulent representations regarding its effectiveness as a dietary aid in the treatment of eczema, tuberculosis, stomach ulcers, asthma, anemia, infant feeding, run-down conditions, acidosis, its effectiveness in bone building, bone repair, bone protection, bone glazing, all bone processes; its effectiveness as an antirachitic and antiscorbutic; and its effectiveness to produce, vim, vigor, and vitality.

On June 24, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered turned over to charitable organizations.

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

27600. Misbranding of potatoes. U. S. v. 300 Sacks of Potatoes. Consent decree of condemnation. Product released under bond for relabeling. (F. & D. No. 39576. Sample No. 43535-C.)

This product fell below United States grade No. 1 because of excessive grade defects.

On May 7, 1937, the United State attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 300 sacks of potatoes at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 4, 1937, by C. H. Runciman from Millbrook, Mich., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Runciman's Lowell Brand U S Grade Number One Michigan Potatoes * * * C H Runciman Lowell Michigan,"

It was alleged to be misbranded in the case of food in that the statement on the label, "U S Grade Number One," was false and misleading and tended to deceive and mislead the purchaser when applied to potatoes that fell below United States grade No. 1.