

**30529. Adulteration of tomato catsup and tomato juice cocktail. U. S. v. Curtice Bros. Co. Plea of nolo contendere. Fine, \$150. (F. & D. No. 42586. Sample Nos. 13816-D, 13817-D, 14160-D.)**

These products contained excessive mold.

On October 31, 1938, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Curtice Bros. Co., a corporation, Rochester, N. Y., alleging shipment by said defendant, within the period from on or about February 7, 1938, to on or about March 15, 1938, from the State of New York into the State of Massachusetts of quantities of tomato catsup and tomato juice cocktail that were adulterated. The articles were labeled in part: "Blue Label Ketchup [or "Tomato Juice Cocktail"]."

They were alleged to be adulterated in that they consisted in whole or in part of filthy and decomposed vegetable substances, i. e., tomato products which were made from moldy tomatoes.

On March 13, 1939, a plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$150.

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

**30530. Adulteration of frozen eggs. U. S. v. Oliver G. Harp (O. G. Harp Poultry & Egg Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 42695. Sample No. 12135-D.)**

This product was in whole or in part decomposed and putrid.

On April 24, 1939, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Oliver G. Harp, trading as O. G. Harp Poultry & Egg Co., Shawnee, Okla., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about September 17, 1938, from the State of Oklahoma into the State of New Jersey of a quantity of frozen eggs which were adulterated.

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

On April 29, 1939, the defendant entered a plea of guilty and the court imposed a fine of \$25 and costs.

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

**30531. Adulteration of flour. U. S. v. 26 Bags of Flour. Default decree of condemnation and destruction. (F. & D. No. 45220. Sample No. 37154-D.)**

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was infested with beetles, larvae, webbing, and excreta.

On April 22, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 26 bags of flour at Sacramento, Calif.; alleging that the article had been shipped on or about July 31, 1937, by Crowther Bros. Milling Co. from Malad City, Idaho; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Big C Flour."

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

On May 10, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

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

**30532. Adulteration of tomato puree. U. S. v. Beech-Nut Packing Co. Plea of nolo contendere. Fine, \$100. (F. & D. No. 42641. Sample Nos. 768-D, 9514-D.)**

This product contained excessive mold.

On February 6, 1939, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Beech-Nut Packing Co., a corporation, Rochester, N. Y., alleging shipment by said defendant within the period from on or about November 24, 1937, to on or about January 17, 1938, from the State of New York into the States of Florida and Pennsylvania, of quantities of tomato puree that was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Beech-Nut Brand \* \* \* Tomato Puree."