

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

On September 8, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

125. Adulteration of prunes. U. S. v. 26 Boxes of Prunes. Default decree of condemnation and destruction. (F. & D. C. No. 339. Sample No. 41350-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be insect-infested.

On August 1, 1939, the United States attorney for the District of Idaho filed a libel against 26 boxes of prunes at Downey, Idaho, alleging that the article had been shipped on or about March 21, 1938, from San Jose, Calif., by California Prune & Apricot Growers Association; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The article was labeled in part: "California Fruits Golden Glow Brand Prunes."

On August 29, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

FRUIT AND VEGETABLE PRODUCTS

126. Adulteration of applesauce. U. S. v. 7 Cases of Applesauce. Consent decree of condemnation and destruction. (F. D. C. No. 702. Sample No. 75235-D.)

This product was undergoing decomposition and was otherwise unfit for food because of its unpleasant metallic taste.

On October 10, 1939, the United States attorney for the Northern District of Illinois filed a libel against seven cases of applesauce at Chicago, Ill., alleging that the article had been shipped in interstate commerce by Bell & Co. from Cincinnati, Ohio, on or about September 13, 1939; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. This was a return shipment of goods originally transported by Bell & Co. truck from the Outlet Sales Co., Chicago, to Cincinnati on August 20, 1939. It was labeled in part: "Lum Apple Sauce * * * Packed By the Lum Packing Co., Inc., Chambersburg, Pa."

On November 8, 1939, the claimant having consented, judgment of condemnation was entered and the product was ordered destroyed.

127. Adulteration of canned tomato soup. U. S. v. 200 Cases of Condensed Tomato Soup. Default decree of condemnation and destruction. (F. D. C. No. 300. Sample No. 43801-D.)

This product was in whole or in part decomposed.

On July 18, 1939, the United States attorney for the Northern District of California filed a libel against 200 cases of tomato soup at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about October 28, 1938, by the Campbell Soup Co. from Chicago, Ill.; and that it was adulterated. The article was labeled in part: "Campbell's Condensed Tomato Soup."

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

On July 28, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

MEAT AND MEAT PRODUCTS

IMITATION BOLOGNA

128. Adulteration of imitation bologna. U. S. v. 70 Pounds of Imitation Bologna. Default decree of condemnation and destruction. (F. D. C. No. 643. Sample No. 66693-D.)

This product contained added ground glass, which might have rendered it injurious to health.

On September 26, 1939, the United States attorney for the Northern District of Oklahoma filed a libel against 70 pounds of imitation bologna at Tulsa, Okla., alleging that the article had been shipped in interstate commerce on or about September 6, 1939, by John Morrell & Co. from Topeka, Kans.; and charging that it was adulterated. The article was labeled in part: "4X Brand Imitation."

It was alleged to be adulterated in that it bore or contained added ground glass, which might have rendered it injurious to health.

On October 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

POULTRY

129. Adulteration of poultry. U. S. v. 7 Barrels and 10 Barrels of Poultry. Consent decree of condemnation. Product released under bond for salvaging. (F. D. C. Nos. 361, 362. Sample Nos. 54833-D, 54834-D.)

Examination showed that water had been injected into this poultry.

On August 12, 1939, the United States attorney for the Northern District of Illinois filed a libel against 17 barrels of poultry at Chicago, Ill., alleging that the article had been shipped on or about June 10 and December 1, 1938, by Dick's Poultry Co. from Colfax, Iowa; and charging that it was adulterated in that water had been substituted wholly or in part for it and in that water had been added to it so as to increase its bulk or weight.

On September 27, 1939, the Campbell Soup Co. (Central Division), Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for salvaging under the supervision of this Department.

130. Adulteration of frozen geese. U. S. v. 6 Barrels of Frozen Geese. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 642. Sample No. 68198-D.)

This product contained added water which had been introduced into the carcasses of the fowls.

On September 28, 1939, the United States attorney for the Southern District of New York filed a libel against six barrels of frozen geese at New York, N. Y., alleging that the article had been shipped in interstate commerce by Iowa Produce Co. (Clair Limbeck), from Dubuque, Iowa, on or about December 24, 1938; and charging that it was adulterated in that water had been substituted in whole or in part for it and had been added to it so as to increase its bulk or weight.

On October 19, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution, for consumption and not for sale.

DOG AND CAT FOOD

131. Adulteration and misbranding of dog and cat food. U. S. v. 27 Cases and 47 Cases of Dog and Cat Food. Default decrees of condemnation and destruction. (F. D. C. Nos. 808, 809. Sample Nos. 66652-D, 66653-D.)

This product was labeled to indicate that it contained, among other ingredients, significant amounts of meat, meat byproducts, and carrots; whereas it contained very small amounts of these products.

On or about August 18, 1939, the United States attorney for the Western District of Missouri filed a libel against 74 cases of dog and cat food at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about June 1, 1939, by the National Coast Products Corporation, a subsidiary of the E. F. Hurff Co., from Swedesboro, N. J.; and that it was adulterated and misbranded. The article was labeled in part: "Champy Dog and Cat Food, Contents Meat, Meat By-products, Bran, Barley, Soya Meal, Salt, Charcoal, Carrots, Cod Liver Oil."

Adulteration was alleged in that valuable constituents, meat, meat byproducts, and carrots had been wholly or in part omitted from the article; and in that water had been added thereto, or mixed or packed therewith so as to increase its bulk or weight and reduce its quality.

It was alleged to be misbranded in that the representations in the labeling that it contained meat, meat byproducts, and carrots were false and misleading.

On September 13, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

NUT PRODUCTS

PEANUT BUTTER

132. Adulteration of peanut butter. U. S. v. 70 Cases of Peanut Butter (and 8 other seizure actions against peanut butter). Default decrees of condemnation and destruction. (F. D. C. Nos. 244, 293, 327, 328, 360, 369, 476, 523, 524. Sample Nos. 60931-D, 65700-D, 66025-D, 66026-D, 66154-D, 66184-D, 66194-D, 66207-D, 66208-D, 66311-D.)

Samples of this product were found to contain rodent hairs, rodent pellets, insect fragments, sand, and dirt.