

milk, whereas it was evaporated milk mixed with partially evaporated milk. Further misbranding of the article labeled "Purity Brand Evaporated Milk" was alleged in that the article was food in package form, and the statement of net weight or measure of the contents was not plainly and conspicuously marked thereon. Further misbranding of the article labeled "Our Best Brand Evaporated Milk" was alleged in that the article was food in package form, and was labeled as containing 8 pounds of evaporated milk, whereas the can containing the article did not contain 8 pounds of evaporated milk.

On April 4, 1920, the United Bakers' Supply Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimants upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7937. Adulteration of tomato pulp. U. S. * * * v. R. E. Roberts Co., a Corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 9809. I. S. No. 1031-p.)

On May 1, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against R. E. Roberts Co., a corporation, Baltimore, Md., alleging shipment by the defendant, on or about October 4, 1917, in violation of the Food and Drugs Act, from the State of Maryland into the State of New York, of a quantity of an article, labeled in part "Old Reliable Strained Tomato Trimmings and Tomato Pulp for Soup Packed by Lord-Mott Co., Inc. at Baltimore, Md., U. S. A.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product had been manufactured from partially decayed tomatoes.

Adulteration of the article was alleged in the information in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 1, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7938. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 2,000 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. Nos. 11903, 12122. I. S. Nos. 38-r, 39-r. S. Nos. E-1926, E-1928.)

On January 28, 1920, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2,000 cases of canned tomatoes, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the articles had been shipped on or about November 17 and 29, 1919, by Charles Webster, Sharptown, Md., and transported from the State of Maryland into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Iona Brand Tomatoes."

Adulteration of the articles was alleged in the libel in that water had been mixed and packed with, and substituted wholly or in part for, the articles. Further adulteration of the November 17, 1919, shipment was alleged in that water had been mixed and packed with the article so as to reduce, lower, and injuriously affect the quality and strength of the article.