

# United States Department of Agriculture

## SERVICE AND REGULATORY ANNOUNCEMENTS

BUREAU OF CHEMISTRY

SUPPLEMENT

N. J. 12851-12900

[Approved by the Secretary of Agriculture, Washington, D. C., March 27, 1925]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

**12851. Adulteration of tomato catsup. U. S. v. 10 Cases and 15 Cases of Tomato Catsup. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 18807, 18824. I. S. Nos. 18277-v, 18278-v, 18437-v. S. Nos. C-4032, C-4033.)

On June 26, and July 9, 1924, respectively, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 25 cases of tomato catsup, at Cincinnati, Ohio, consigned by Lutz & Schramm, in part from Allegheny, Pa., May 17, 1924, and in part from Pittsburgh, Pa., June 20, 1924, alleging that the article had been transported from the State of Pennsylvania into the State of Ohio, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Bottle) "Guaranteed Pure 'Food Products of Quality' L & S Tomato Catsup \* \* \* Lutz & Schramm Co Pittsburgh, Pa. U. S. A."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 20, 1924, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**12852. Misbranding of cider vinegar. U. S. v. 42 Barrels of Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled.** (F. & D. No. 19037. I. S. Nos. 18640-v, 18641-v. S. No. C-4490.)

On September 29, 1924, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 42 barrels of vinegar, at Minneapolis, Minn., alleging that the article had been shipped by the National Vinegar Co., from St. Louis, Mo., on or about July 19, 1924, and transported from the State of Missouri into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "52 Cider Vinegar Reduced To 4% St. Louis, Mo."

Misbranding of the article was alleged in the libel for the reason that the designation "52" was false and misleading and deceived and misled the purchaser, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.