

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.

On November 6, 1924, the National Vinegar Co. having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be relabeled to the satisfaction of this department.

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

12853. Adulteration and misbranding of prepared mustard. U. S. v. 300 Cases of Prepared Mustard. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18834. I. S. No. 20216-v. S. No. W-1523.)

On July 14, 1924, the United States attorney for the District of Oregon, 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 300 cases of prepared mustard, at Portland, Oreg., alleging that the article had been shipped by the Morehouse Mustard Mills, from Oakland, Calif., on or about June 1, 1924, and transported from the State of California into the State of Oregon, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Jar) "Prepared Old English Style Morehouse Mustard, Mustard Seed, Vinegar, Spices, Salt, and Turmeric. Morehouse * * * Mills, Los Angeles, Oakland"; (case) "Old English Morehouse Best Prepared Mustard."

Adulteration of the article was alleged in the libel for the reason that added mustard bran had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article, in that the designation above quoted, appearing on the cases and jars, was false and misleading and deceived and misled the purchaser when applied to a product containing added mustard bran.

On August 25, 1924, L. H. Morehouse and B. Morehouse, copartners, trading as the Morehouse Mustard Mills of the State of California, having appeared as claimants for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimants upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

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

12854. Adulteration of canned salmon. U. S. v. 1,000 Cases of Salmon. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 12990. I. S. No. 16139-r. S. No. E-2404.)

On September 12, 1922, the United States attorney for the Southern District of Georgia, 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 1,000 cases of salmon, remaining in the original packages at Augusta, Ga., alleging that the article had been shipped by the Columbia Salmon Co., from Seattle, Wash., on or about November 9, 1918, and transported from the State of Washington into the State of Georgia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Target Brand Alaska Pink Salmon * * * Packed In Alaska By Columbia Salmon Co. Seattle, Wash."

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

On February 19, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

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

12855. Misbranding of D. O. D. U. S. v. 66 Packages of a Drug Product Labeled "D. O. D." Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 17839. I. S. No. 4161-v. S. No. C-4125.)

On September 28, 1923, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on May