

**14613. Adulteration of tomato catsup. U. S. v. 10 Cases of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 20954. I. S. No. 1696-x. S. No. C-5051.)**

On March 19, 1926, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 cases of tomato catsup, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by Geo. Van Camp & Sons Co., from East St. Louis, Ill., on or about December 30, 1925, and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "George Van Camp's Tomato Catsup \* \* \* Geo. Van Camp & Sons Co. Westfield, Ind."

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

On September 11, 1926, 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.*

**14614. Adulteration and misbranding of butter. U. S. v. 22 Cases of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21085. I. S. No. 7492-x. S. No. E-5717.)**

On or about April 22, 1926, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 22 cases of butter, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Valdosta Creamery, from Valdosta, Ga., on or about April 16, 1926, and transported from the State of Georgia into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Sweet Clover Creamery Butter One Pound."

Adulteration of the article was alleged in the libel for the reason that a product deficient in milk fat and containing an excessive amount of moisture had been substituted for butter, which the said article purported to be, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statement "Butter," borne on the packages containing the article, was false and misleading, in that the said statement represented that the article consisted wholly of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter, whereas it did not so consist but did consist of a product deficient in milk fat and containing excessive moisture. Misbranding was alleged for the further reason that the statement "Butter," borne on the label, was false and misleading, in that it represented that the article was butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat as prescribed by law, whereas it was a product which contained less than 80 per cent by weight of milk fat.

On April 27, 1926, T. J. Fenn, Valdosta, Ga., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon the execution of a bond in the sum of \$511.70, conditioned in part that it be reworked so that it would contain all necessary ingredients.

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

**14615. Misbranding of butter. U. S. v. 15 Cases, et al., of Butter. Product ordered released under bond. (F. & D. Nos. 20612, 20613. I. S. Nos. 570-x, 575-x. S. Nos. W-1805, W-1807.)**

On October 27 and 30, 1925, respectively, the United States attorney for the District of Arizona, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 30 cases, each containing 30 cartons, of butter, at Phoenix, Ariz., alleging that the article had been shipped by the San Juan Creamery Co., from Durango, Colo., in part on or about October 22, 1925, and in part

on or about October 26, 1925, and that it had been transported from the State of Colorado into the State of Arizona and charging misbranding in violation of the food and drugs act as amended.

Misbranding of the article was alleged in the libels for the reason that the statement "One Pound Net Weight," borne on the cartons, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct, the true weight of the contents of each of the said cartons being less than 1 pound.

On November 28, 1925, the San Juan Creamery Co., Durango, Colo., having appeared as claimant for the property and having admitted the material allegations of the libels, decrees of the court were entered, ordering that the product be released to the said claimant upon payment of the costs of the proceedings and the deposit of cash bond in the amount of \$200, conditioned that the butter not be sold or disposed of contrary to law.

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

**14616. Adulteration and misbranding of tomato sauce. U. S. v. 17 Cases of Tomato Sauce. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19475. I. S. No. 3738-v. S. No. E-5101.)**

On or about January 15, 1925, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 17 cases of tomato sauce, remaining in the original unbroken packages at Tampa, Fla., alleging that the article had been shipped by the Greco Canning Co., Inc., from San Francisco, Calif., on or about October 11, 1924, and transported from the State of California into the State of Florida, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Can) "De-Luxe Brand Concentrated Tomato Sauce Packed By Greco Canning Co., San Jose \* \* \* Cal."

Adulteration of the article was alleged in the libel for the reason that a substance, an artificially colored tomato paste or sauce, had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement "Tomato Sauce," borne on the label, was false and misleading and deceived and misled the purchaser when applied to a tomato sauce containing artificial color not declared on the label.

On March 13, 1925, Harmon & Hulsey, Tampa, Fla., claimants, having admitted the allegations of the libel 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 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.*

**14617. Misbranding of Mecca compound. U. S. v. 12 Dozen Packages, et al., of Mecca Compound. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20871, 20873, 20874, 20875. I. S. Nos. 1682-x to 1690-x, incl. S. Nos. C-4962, C-4963, C-4964, C-4975.)**

On February 18 and 20, 1926, respectively, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels and thereafter amended libels praying seizure and condemnation of 2 dozen 13-ounce packages, 4½ dozen 6-ounce packages and 22⅓ dozen 2-ounce packages, of Mecca compound, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Foster-Dack Co., Chicago, Ill., between the dates of November 3, 1925, and February 8, 1926, and that it had been transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Box label) "Healing \* \* \* for all kinds of Sores and inflammation giving quick relief and aiding nature to make speedy cures \* \* \* For \* \* \* Barber's itch, Eczema, Erysipelas, Hives, Salt Rheum, \* \* \* Blood Poison, Boils, Diphtheritic Sore Throat, Pneumonia and all kinds of inflammation," (carton) "Healing," (circular) "Directions for Using Mecca Compound. \* \* \* For Burned and Scalded surfaces, apply the Mecca \* \* \* the immediate result will be