

20110. Adulteration of canned prunes. U.S. v. Paulus Bros. Packing Co. Plea of guilty. Fine, \$50. (F. & D. No. 27525. I.S. Nos. 15618, 16467, 16469, 24930, 27893, 27976, 28056, 28057, 28058, 28059.)

This case was based on several shipments of canned prunes, samples of which were found to be moldy and rotten.

On September 22, 1932, 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 the district aforesaid an information against the Paulus Bros. Packing Co., a corporation, Salem, Oreg., charging violation of the Food and Drugs Act. It was alleged in the information that the defendant company had shipped, between the dates of October 11, 1930 and January 24, 1931, from the State of Oregon into the States of Minnesota, Tennessee, and Pennsylvania, respectively, quantities of canned prunes that were adulterated. The product was labeled in part, variously: (Cans) "Brookland Fruits PBP Co. Fresh Oregon Prunes * * * Paulus Bros. Packing Co. Salem, Oreg.;" "Red Tag Choice Fresh Oregon Prunes * * * Paulus Bros. Packing Co. Salem, Oreg.;" "Black Label Brand Fresh Prunes * * * The Hooven Mercantile Co. Distributors New York;" "Arks Run * * * Packed Exclusively for United Wholesale Grocery Co. Inc., Philadelphia, Pa."

It was alleged in the information that the article was adulterated in that it consisted in whole and in part of a filthy, decomposed, and putrid vegetable substance.

On September 22, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20111. Adulteration of canned tomato puree. U.S. v. 162 Cases of Canned Tomato Puree. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 28634. Sample No. 8458-A.)

This action involved the interstate shipment of a quantity of canned tomato puree, samples of which were found to contain excessive mold.

On August 9, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 162 cases of canned tomato puree, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about April 27, 1932, by the Haxton Canning Co., from Oakfield, N.Y., to Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Melrose Brand Distributors Githens, Rexsamer & Company."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On August 31, 1932, 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.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20112. Adulteration of canned tomato puree. U.S. v. 300 Cases of Tomato Puree. Bond executed by claimant. Portion of product ordered condemned, forfeited, and destroyed; remainder released. (F. & D. No. 27727. I.S. Nos. 22477, 22478. S. No. 5773.)

This action involved the interstate shipment of a quantity of canned tomato puree, samples of which were found to contain excessive mold.

On February 8, 1932, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 300 cases of canned tomato puree, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about December 19, 1931, by Pleasant Grove Canning Co., from Pleasant Grove, Utah, to Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act. The can labels bore, among others, the statements: "Fresh Ripe Brand Tomato Puree Packed by Pleasant Grove Canning Co. Pleasant Grove—Orem Utah", and various code numbers.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.