

It was alleged in the libel that the article was adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it harmful to health.

On June 7, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22763. Adulteration of tomato sauce. U. S. v. 575 Cases, et al., of Tomato Sauce. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 32328, 32449, 32450, 32451, 32615. Sample nos. 65874-A, 68669-A, 68679-A, 68680-A, 68681-A.)

These cases involved shipments of tomato sauce that contained mold.

On March 15, March 29, March 30, and April 28, 1934, the United States attorney for the Western District of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 1,093 cases of canned tomato sauce at Memphis, Tenn., alleging that the article had been shipped in interstate commerce, in part on or about January 11, 1934, by the Beach Packing Co., and in part on or about February 8, 1934, by the California Sea Food Co., from Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "El Trono Brand Spanish Style Tomato Sauce * * * Packed by Beach Packing Co., Cannery Newport Beach, Calif."

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

On June 28, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22764. Adulteration of canned spinach. U. S. v. 200 Cases of Canned Spinach. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32660. Sample no. 69776-A.)

This case involved an interstate shipment of canned spinach, samples of which were found to be putrid and to contain botulinus toxin.

On April 30, 1934, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 200 cases of spinach at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about April 3, 1934, by the Frank M. Wilson Co., from Alameda, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cock O'The Walk California Spinach * * * Grown for and packed by Tri-Valley Packing Association San Francisco."

It was alleged in the libel that the article was adulterated in that it contained an added poisonous and deleterious ingredient, botulinus toxin, which might have rendered it injurious to health. Adulteration was alleged for the further reason that the article consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On June 25, 1934, 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.

M. L. WILSON, *Acting Secretary of Agriculture.*

22765. Adulteration of canned spinach. U. S. v. 393 Cases of Canned Spinach. Default decree of condemnation and destruction. (F. & D. no. 32862. Sample no. 69097-A.)

This case involved a shipment of canned spinach that was in part decomposed.

On May 1, 1934, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 393 cases of spinach at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce on or about March 29, 1934, by the Tri-Valley Packing Association, Modesto, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Canned Spinach * * * Nugget Brand Frank M. Wilson Co."