

**24482. Adulteration of canned tomatoes. U. S. v. 14 Cases of Canned Tomatoes. Default decree of destruction. (F. & D. no. 35129. Sample nos. 13830-B, 22554-B.)**

This case involved a shipment of canned tomatoes that contained maggots.

On February 12, 1935, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 cases of canned tomatoes at Birmingham, Ala., alleging that the article had been shipped in interstate commerce on or about October 10, 1934, by W. E. Robinson & Co., of Bel Air, Md., from Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Indian Creek Brand Tomatoes \* \* \* Packed by Kilmarnock Packing Company, Kilmarnock, Virginia."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On March 28, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24483. Adulteration of tomato puree. U. S. v. 558 Cases of Tomato Puree. Default decree of condemnation and destruction. F. & D. no. 35135. Sample no. 31802-B.)**

This case involved a shipment of tomato puree that contained excessive mold.

On February 12, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 558 cases of tomato puree at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 14, 1935, by the Cicero Canning Co., from Cicero, Ind., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White City Brand Tomato Puree \* \* \* Samuel Kunin and Sons Inc., Distributors, Chicago, Ills."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On March 26, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24484. Adulteration of frozen shrimp. U. S. v. 251 Boxes of Frozen Shrimp. Consent decree of condemnation. Product released under bond conditioned that unfit portions be destroyed or denatured. (F. & D. no. 35144. Sample no. 21663-B.)**

This case involved a shipment of frozen shrimp that was in part decomposed.

On February 15, 1935, 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 251 boxes of frozen shrimp at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 17, 1934, from Brunswick, Ga., by the Atlantic Shrimp Co., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On March 13, 1935, Chesebro Bros. & Robbins, Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the decomposed portions be denatured or destroyed.

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

**24485. Adulteration of tullibeas. U. S. v. 8 Boxes of Tullibeas. Default decree of condemnation and destruction. (F. & D. no. 35167. Sample no. 21677-B.)**

This case involved a shipment of tullibeas that were infested with worms.

On February 8, 1935, 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 eight boxes of tullibeas at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about February 2, 1935, by Sam Johnson & Sons,

from Duluth, Minn., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance, and in that it consisted of portions of animals unfit for food.

On March 4, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24486. Adulteration of apples. U. S. v. 171 Boxes of Apples. Decree of destruction.** (F. & D. no. 35168. Sample no. 16013-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On February 4, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 171 boxes of apples at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about January 25, 1935, by Dan Corrigan, from Spokane, Wash., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "'Otis' Brand Fancy \* \* \* Grown and Packed by Kroll Orchards Co., Spokane, Wash."

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it injurious to health.

On February 13, 1935, the Jewel Produce Co., owners of the apples, having waived their claim for the property, judgment of condemnation was entered and the product was ordered destroyed.

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

**24487. Adulteration of apples. U. S. v. 45 Bushels and 45 Bushels of Apples. Default decree of condemnation and destruction.** (F. & D. no. 35169. Sample nos. 24774-B, 24775-B.)

Examination of the apples involved in this case showed the presence of arsenic and lead in amounts that might have rendered them injurious to health.

On November 8, 1934, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 90 bushels of apples at Hammond, Ind., alleging that the article had been shipped in interstate commerce on or about November 6, 1934, by Harry Palman from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Packed by James Boyce Holland Mich. Grimes"; "Peter Zahm Grower Conklin Mich Jonathan."

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On March 20, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24488. Adulteration and misbranding of olive oil. U. S. v. 38 Gallon Cans of Alleged Olive Oil. Default decree of condemnation and destruction.** (F. & D. no. 35190. Sample no. 26006-B.)

This case involved a shipment of alleged olive oil which was found to consist of an artificially colored and flavored mixture of oils other than olive oil, probably corn oil.

On February 28, 1935, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 38 gallon cans of alleged olive oil at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about January 23, 1935, by the Italia Importing Co., from Bridgeport, Conn., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that corn oil had been substituted wholly or in part for pure olive oil, which the article purported to be. Adulteration was alleged for the further reason that the article was colored in a manner whereby inferiority was concealed.