

24590. Adulteration of tomato catsup. U. S. v. 269 Cases, et al., of Catsup. Decrees of condemnation and destruction. (F. & D. nos. 34691, 34745, 34987. Sample nos. 25220-B, 25274-B, 27959-B.)

These cases involved tomato catsup that contained excessive mold.

On January 5 and January 10, 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 libels praying seizure and condemnation of 661 cases of catsup at Chicago, Ill. On January 22, 1935, a libel was filed in the Eastern District of Missouri against 110 cases of tomato catsup at St. Louis, Mo. The libels alleged that the article had been shipped in interstate commerce in part on or about October 2, 1934, and in part on or about December 31, 1934, by the Snider Packing Corporation, from Fairmount, Ind., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Snider Catsup * * * Snider Packing Corporation General Office Rochester, N. Y."

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

On April 3 and April 4, 1935, the cases having been called and the Snider Packing Corporation, the sole intervenor, having waived its claim to the product, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24591. Adulteration of tomato puree. U. S. v. 244 Cases, et al., of Tomato Puree. Default decrees of destruction. (F. & D. nos. 34881, 35023, 35188. Sample nos. 27384-B, 27460-B, 28056-B, 28057-B.)

These cases involved canned tomato puree that contained excessive mold.

On January 17 and January 28, 1935, the United States attorney for the Western District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 346 cases of tomato puree at Kansas City, Mo. On February 26, 1935, a libel was filed in the Eastern District of Missouri against 165 cases of tomato puree at St. Louis, Mo. The libels charged that the article had been shipped in interstate commerce between the dates of September 10 and December 24, 1934, by the Dugger-Van Zant Packing Co., from Noblesville, Ind., and that it was adulterated in violation of the Food and Drugs Act. A portion of the article was labeled: "Dinner Club Tomato Puree * * * Packed by Dugger Van Zant Packing Co. Noblesville, Ind." A portion was labeled: "Pallas Tomato Puree * * * Ridenour-Baker Grocery Co. Distributors Kansas City, Mo." The remainder was unlabeled.

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

On April 1, April 19, and May 13, 1935, no claimant having appeared, judgments were entered ordering that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24592. Adulteration of apples. U. S. v. 24 Bushels and 61 Bushels of Apples. Default decrees of condemnation and destruction. (F. & D. nos. 35021, 35022. Sample nos. 25007-B, 25008-B, 25010-B.)

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

On October 30, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 85 bushels of apples at Rockford, Ill., alleging that the article had been shipped in interstate commerce on or about October 10, 1934, by the Dierks Fruit Co., from Benton Harbor, Mich., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Millburg Growers Exchange Millburg, Mich."

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

On April 15, 1935, no claimant having appeared, judgments of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*