

Misbranding was alleged for the reason that the statement "Green Field Peas With Snaps", and the vignette of dish of green-beanlike vegetables and a number of pieces of pods suggestive of string beans borne on the label, were false and misleading and tended to deceive and mislead the purchaser when applied to the product which consisted essentially of cowpeas.

The consignee of the product seized at Union Springs, Ala., filed an answer admitting the allegations of the libel and consenting to the entry of a decree. No claim or answer was filed in the remaining cases. On April 30, July 19, and August 15, 1935, judgments of condemnation were entered and it was ordered that the product be destroyed.

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

24769. Adulteration of tomato paste. U. S. v. 1,288 Cans of Tomato Paste. Default decree of condemnation and destruction. (F. & D. no. 35341. Sample no. 21617-B.)

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

On or about April 5, 1935, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,288 cans of tomato paste at New Haven, Conn., alleging that the article had been shipped in interstate commerce on or about September 26, 1934, by the Helen Packing Corporation, from North Collins, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Vittoria Brand Pure Tomato Paste * * * Packed by Helen Packing Corp. North Collins, N. Y."

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

On May 9, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

24770. Adulteration of butter. U. S. v. 9 Cartons of Butter. Default decree of condemnation. (F. & D. no. 35343. Sample no. 14084-B.)

This case involved butter which was found to contain filth.

On April 3, 1935, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of nine cartons of butter at Washington, D. C., alleging that the article was in possession of Kingan & Co., Washington, D. C., and was being offered for sale in the District of Columbia, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Shenandoah Brand Creamery Butter * * * Valley Creamery, Inc. Penn Laird, Virginia."

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

On May 3, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be disposed of in such manner as would not violate the provisions of the Federal Food and Drugs Act.

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

24771. Adulteration of concentrated strained tomatoes. U. S. v. 197 Cases of Concentrated Strained Tomatoes. Default decree of condemnation and destruction. (F. & D. no. 35349. Sample no. 24294-B.)

This case involved a shipment of concentrated strained tomatoes that contained excessive mold.

On April 9, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 197 cases of concentrated strained tomatoes at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 18, 1934, by C. W. Baker & Sons, from Aberdeen, Md., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Xlent Brand Concentrated Strained Tomatoes."

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

On May 6, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

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