

Cumberland, Md.; G. W. Abbott, Rohersville, Md.; W. B. Gregg, Grafton, W. Va.; Walter Johnston, Strasburg, Va.; Upshur Dairy Prod., Buckhannon, W. Va.; Wm. D. Barrick, Walkersville, Md.; M. K. Bowers, Keaneysville, W. Va.; M. J. Gartner, Gaithersburg, Md.; Wm. J. Griffith, Triadelphia, W. Va.; Wm. H. Wilson, Laurel, Md.; Webster Hess, Hancock, W. Va.; Howard Smith, Fairmont, W. Va.; Frank Ables, West Union, W. Va.; Ottis Snyder, Ellenboro, W. Va.; F. A. Moore, Belington, W. Va.; Guy Nicholson, Salem, W. Va.; R. C. Heffner, Pickens, W. Va.; A. E. Bowman, Tunnelton, W. Va.; O. McIntire, Morgansville, W. Va.; A. L. Ware, Holly, W. Va.; M. H. Coleman, Leesburg, Va.; G. S. Risinger, Cherry Run, W. Va.; Terra Alta Bottling Works, Terra Alta, W. Va.; L. H. Cutlip, Gassaway, W. Va.; B. M. Grim, Romney, W. Va.; Elizabeth Phillips, Glover Gap, W. Va.; Sherman Tuttle, Blacksville, W. Va.; J. D. Thorne, Blacksville, W. Va.; T. B. Richards, Metz, W. Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On May 21, May 23, and May 24, 1935, the Fairmont Creamery Co., Pittsburgh, Pa., the consignee, having consented to the destruction of the product, judgments were entered ordering its immediate destruction.

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

**24969. Adulteration of cream. U. S. v. Five 5-Gallon Cans of Cream. Consent decree of destruction. (F. & D. no. 35644. Sample no. 23700-B.)**

This case involved shipments of cream which was filthy or decomposed or both filthy and decomposed.

On May 23, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five 5-gallon cans of cream at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about May 20, 1935, in various shipments by: Boyd Swiger, Salem, W. Va.; A. L. Stalnaker, Jane Lew, W. Va.; Mrs. Virginia Layman, Grafton, W. Va.; J. A. Mauller, Bridgeport, W. Va.; and Beryl Sigley, Tunnelton, W. Va., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On May 23, 1935, the consignee of the product, the Blue Valley Creamery Co., having requested its destruction, judgment was entered ordering that it be destroyed immediately.

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

**24970. Adulteration of butter. U. S. v. 25 Tubs of Butter. Default decree of condemnation and destruction. (F. & D. no. 35650. Sample no. 21718-B.)**

This case involved a shipment of butter samples of which were found to contain mold.

On May 29, 1935, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 tubs of butter at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about May 18, 1935, by Swift & Co., from Muskogee, Okla., 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 filthy, decomposed, and putrid animal substance.

On September 4, 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.*

**24971. Adulteration of tomato paste. U. S. v. 18 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. no. 35651. Sample no. 24573-B.)**

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

On June 17, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 18 cases of tomato paste at Wilkes-Barre, Pa., alleging that the article had been shipped in interstate commerce on or about December 11, 1934, by the Gervas Canning Co., Inc., from Fredonia, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Tasty Brand Tomato Paste \* \* \* Packed by Stanley Packing Company, Inc. Forestville, N. Y."

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

On July 31, 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.*

**24972. Adulteration of cream. U. S. v. Six 10-Gallon Cans of Cream. Consent decree of condemnation and destruction.** (F. & D. no. 35657. Sample no. 28751-B.)

This case involved cream which was filthy or decomposed, or both filthy and decomposed.

On June 5, 1935, the United States attorney for the Western 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 6 ten-gallon cans of cream at Buffalo, N. Y., alleging that the article had been shipped in interstate commerce on or about June 4, 1935, in various shipments by D. Glover, Galeton, Pa.; W. L. Hawks, Genesee, Pa.; C. R. Van Cise, Centerville, Pa.; A. Smith, Centerville, Pa.; G. G. Byron, Westfield, Pa.; and the Lily Hill Farm, Sayre, Pa., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On June 5, 1935, the Fairmont Creamery Co., Buffalo, N. Y., having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be destroyed.

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

**24973. Adulteration of butter. U. S. v. 13 Bags of Butter. Consent decree of condemnation and destruction.** (F. & D. no. 35658. Sample no. 32324-B.)

This case involved a shipment of butter samples of which were found to contain mold and other extraneous matter.

On May 21, 1935, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 bags, each containing approximately 70 pounds of butter, at Ottumwa, Iowa, alleging that the article had been shipped in interstate commerce on or about May 10, 1935, by the Yorkshire Creamery Co., from Bethany, Mo., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On July 26, 1935, the Yorkshire Creamery Co., claimant, having filed an answer consenting to the entry of a decree without, however, either admitting or denying the charge that the product was adulterated, judgment of condemnation was entered and it was ordered that the product be destroyed and that the claimant pay the costs of the proceedings.

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

**24974. Adulteration of tomato puree. U. S. v. 137 Cases and 48½ Cases of Tomato Puree. Default decrees of condemnation and destruction.** (F. & D. nos. 35663, 35664. Sample nos. 27751-B, 27752-B.)

These cases involved shipments of tomato puree that contained excessive mold.

On June 19, 1935, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 235½ cases of canned tomato puree at Hanover, Pa., alleging that the article had been shipped in interstate commerce in part on or about September 10, 1934, by W. H. Neal & Sons, Inc., and in part on or about February 22, 1935, by A. W. Sisk & Son, from Hurlock, Md., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: "Zo-Ray Brand Tomato Puree \* \* \* W. H. Neal & Sons, Inc., Hurlock, Md. Distributors." The remainder was labeled: "Neal's Wholesome Tomato Puree \* \* \* Distributed by W. H. Neal & Sons, Inc. Offices Hurlock, Md."

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

On July 31, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

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