

by W. H. Booth & Co., in various shipments from Los Angeles, Calif.; Chicago, Ill.; New Orleans, La.; and Santa Ana, Calif., and charged adulteration in violation of the Food and Drugs Act. The chili powder was labeled in part, "Toreador Brand."

The articles were alleged to be adulterated in that they contained an added poisonous and deleterious ingredient, arsenic, and in one lot of the powder, also fluorine, which might have rendered them injurious to health.

On February 25, March 2, 7, 23, and 31, and June 3, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

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

25738. Adulteration of canned salmon. U. S. v. Washington Fish & Oyster Co., a corporation. Plea of guilty. Fine, \$26 and costs. (F. & D. no. 36946. Sample nos. 38000-B, 40419-B, 40429-B, 40434-B, 40455-B, 40463-B.)

This case involved shipments of canned red salmon that was in part decomposed.

On May 15, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Washington Fish & Oyster Co., a corporation, Seattle, Wash., alleging that on or about June 23 and July 15, 1935, the defendant had shipped from Port Williams, Territory of Alaska, into the State of Washington a number of unlabeled cans of salmon, and charging that it was adulterated in violation of the Food and Drugs Act.

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

On June 27, 1936, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$26 and costs.

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

25739. Misbranding of salad oil. U. S. v. 176 Cans of Salad Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36862. Sample nos. 44011-B, 44014-B.)

This product consisted essentially of sunflower-seed oil or corn oil, and its label bore statements implying that it was olive oil.

On December 23, 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 numerous cans of salad oil at Providence, R. I., alleging that the article had been shipped in interstate commerce, on or about December 4, 1935, by the Economu-Ritsos Co., from New York, N. Y., into the State of Rhode Island, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Can) "One Gallon Net Prodotto Garantito Olio Finissimo LaGustosa Brand."

Misbranding of the product was charged under the allegations that the label on the cans bore the statements, to wit, "Olio Finissimo", and "L'Olio che questa latta contiene e di qualita extra fina insuperabile per tavola, cucina, etc."; and that the said statements were false and misleading and tended to deceive and mislead the purchaser when applied to a product consisting essentially of sunflower or corn oil with little or no olive oil, in packages bearing designs of olive branches, in that they implied that the article was olive oil.

On April 28, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25740. Adulteration of dried peaches. U. S. v. 30 Cases of Dried Peaches. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36863. Sample no. 38724-B.)

The article was worm-infested.

On December 21, 1935, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 cases of dried peaches at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce, on or about October 1, 1935, by the California Prune & Apricot Growers Association, from San Jose, Calif., to Salt Lake City, Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Case) "Twenty Five Lbs. Net California Peaches Prepared with Sulphur Dioxide."

Adulteration of the product was charged under the allegation that it consisted wholly or in part of a filthy vegetable substance.

On February 29, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

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

25741. Adulteration and misbranding of blackberry wine. U. S. v. 28 Bottles of Alleged Blackberry Wine. Default decree of condemnation and forfeiture, providing for the delivery of the product to the Secretary of the Treasury for disposal in accordance with law. (F. & D. no. 36864. Sample nos. 51401-B, 51402-B.)

This product was an artificially colored mixture of alcohol and water containing tartaric acid.

On December 26, 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 that District a libel praying seizure and condemnation of a quantity of wine in the District of Columbia, alleging that the article had been shipped in interstate commerce, on or about November 29 and December 6, 1935, by Madera Bonded Wine & Liquor Co., Baltimore, Md., therefrom to the District of Columbia and charging adulteration and misbranding in violation of the Food and Drugs Act. The article consisted of two lots of alleged wine, the bottles thereof being labeled in part: "Gold Stripe American Blackberry Wine"; "Maid of Honor American Blackberry Wine."

Adulteration of the product was charged (a) under the allegation that an artificially colored mixture of alcohol and water containing tartaric acid had been substituted for "American Blackberry Wine"; (b) under the allegation that the product was mixed in a manner whereby inferiority was concealed.

Misbranding of the product was charged (a) under the allegations that the label on the bottles bore the statements, to wit, "Blackberry Wine * * * 12% to 14% Alcohol by Volume * * *" and "Bottled in Bonded U. S. Wine Store Room Md. 4"; that the said statements were false and misleading and tended to deceive and mislead the purchaser, when applied to an artificially colored mixture of alcohol (about 10 percent) and water, containing tartaric acid; and (b) under the allegation that the product was an imitation of and was offered for sale under the distinctive name of another article.

On April 8, 1936, no claimant having appeared, a default decree of condemnation and forfeiture was entered providing for delivery of the product to the Secretary of the Treasury for disposal in accordance with law.

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

25742. Adulteration of canned salmon. U. S. v. 770 Cases of Canned Salmon. Consent decree of condemnation and forfeiture, providing for delivery of the product to the claimant for reconditioning under bond. (F. & D. no. 36865. Sample no. 64939-B.)

Decomposed salmon was present in this product.

On December 23, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce by the Halibut Bay Packing Co., on or about August 24, 1935, from Halibut Bay, Alaska, to Seattle, Wash., and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was charged under the allegation that it consisted in whole or in part of a decomposed animal substance.

On January 21, 1936, the product having been claimed by the Halibut Bay Packing Co., a consent decree of condemnation and forfeiture was entered, providing for delivery of the product to the claimant for reconditioning upon giving of bond in the sum of \$1,000.

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

25743. Misbranding of Roquefort Spread. U. S. v. 80 Cartons of Roquefort Spread. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 36866. Sample nos. 50299-B, 50610-B.)

The label on the packages of this article bore an erroneous statement regarding the weight of the contents.

On December 23, 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 a quantity of Roquefort