

1934, February 27, and April 22, 1935, from Los Angeles, Calif., into the State of Arizona, where it was sampled, and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Black & White Brand * * * California Fancy Tuna * * * Packed in Salad Oil, Haas, Baruch & Co., Los Angeles, Calif., Distributors."

The information alleged that the product was adulterated when shipped and delivered for shipment from Los Angeles, Calif., into the State of Arizona in that it was a product that consisted in part of a decomposed animal substance.

On April 28, 1936, a plea of guilty was entered on behalf of the defendant company and the court imposed a fine of \$75.

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

25882. Adulteration of butter. U. S. v. R. E. Cobb Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. no. 36076. Sample no. 41040-B.)

This case involved an interstate shipment of butter that was deficient in milk fat.

On February 4, 1936, the United States attorney for the District of North Dakota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the R. E. Cobb Co., a corporation trading at Valley City, N. Dak., alleging shipment by said defendant in violation of the Food and Drugs Act as amended on or about September 4, 1935, from the State of North Dakota into the State of Minnesota of a quantity of butter labeled in part: "63 Pounds Net."

The article was alleged to be adulterated in that a substance deficient in milk fat had been substituted for butter, a product which must contain not less than 80 percent by weight of milk fat.

On July 24, 1936, the defendant entered a plea of guilty and the court imposed a fine of \$25.

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

25883. Adulteration of tomato paste. U. S. v. Uddo-Taormina Corporation and Anthony A. Taormina. Pleas of guilty. Fines, \$200 and costs. (F. & D. no. 36081. Sample nos. 38822-B, 42864-B.)

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

On or about May 11, 1936, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Uddo-Taormina Corporation and Anthony A. Taormina, trading at Donna, Tex., alleging that on or about June 30 and July 20, 1935, the said defendants had shipped from the State of Texas into the States of Louisiana and New York, respectively, a number of cans in cases of tomato paste, and that the article was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Naples Style Tomato Paste Salsa Di Pomodoro Prepared From Fresh, Ripe Tomatoes, Harmless Color and Sweet Basil Polly Brand Tipo Nap.oli Mfd. in U. S. A."

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

On June 11, 1936, pleas of guilty were entered on behalf of the defendants, and the court imposed a fine of \$100 and costs against each defendant.

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

25884. Adulteration and misbranding of Carlene's Imperial Champyne Americaine. U. S. v. 120 Bottles and 50 Bottles of Carlene's Imperial Champyne Americaine. Default decree of destruction. (F. & D. no. 36185. Sample no. 33036-B.)

The labeling of this article bore misleading statements and a design falsely implying that it was champagne.

On August 28, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 170 bottles of Carlene's Imperial Champyne Americaine at Kansas City, Mo., alleging that the article had been shipped in interstate commerce on or about December 8, 1934, by the California Vineyards Co., and that it was adulterated and misbranded in violation of the Food and Drugs Act. The shipment was made from Chicago, Ill. The article was labeled in part: (Bottle) "Carlene's Imperial Champyne Americaine"; (strip posters in shipping case) "Do you Like Champagne? Try Carlene's Imperial"; the invoice bore the statement, "Re-