

**1487. Adulteration of tomato sauce. U. S. v. 49 Cases of Tomato Sauce. Default decree of condemnation and destruction. (F. D. C. No. 8497. Sample No. 21582-E.)**

On December 14, 1940, the United States attorney for the Southern District of New York filed a libel against 49 cases of tomato sauce at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about November 14, 1940, by Stockton Food Products, Inc., from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Cans) "Kane's Tomato Sauce."

On January 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### VINEGAR

**1488. Adulteration and misbranding of vinegar. U. S. v. 20 Cases of Vinegar. Default decree of condemnation and destruction. (F. D. C. No. 2637. Sample No. 13293-E.)**

This product contained not more than 3.35 percent of acetic acid; whereas cider vinegar should contain not less than 4 percent of acetic acid.

On August 22, 1940, the United States attorney for the District of Idaho filed a libel against 20 cases of vinegar at Weiser, Idaho, alleging that the article had been shipped in interstate commerce on or about July 18, 1940, for the Kerr Conserving Co. from Portland, Oreg.; and charging that it was adulterated and misbranded. It was labeled in part: (Bottles) "Royalty of the Table Kerr's Pure Cider Vinegar."

It was alleged to be adulterated in that a substance containing less acid than cider vinegar should contain had been substituted wholly or in part therefor.

It was alleged to be misbranded in that the statement "4 percent acetic acid" was false and misleading since it was not correct.

On September 19, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### MEAT PRODUCTS

##### POULTRY

**1489. Adulteration of poultry. U. S. v. Edgar Glenn Morse (E. G. Morse). Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 2072. Sample Nos. 85734-D, 85735-D.)**

This product was in part diseased or emaciated, and otherwise unfit for human consumption.

On February 13, 1941, the United States attorney for the Northern District of Iowa filed an information against Edgar Glenn Morse, trading as E. G. Morse at Mason City, Iowa, alleging shipment in interstate commerce on or about December 6, 1939, from the State of Iowa into the State of New York of a quantity of poultry that was adulterated in that it was in part the product of diseased animals, namely, diseased poultry; and in that it was in whole or in part unfit for food.

On February 13, 1941, the defendant entered a plea of guilty and the court imposed a fine of \$50 and costs.

**1490. Adulteration of poultry. U. S. v. Leo M. Priest and Claude M. Priest (F. M. Priest & Sons). Pleas of guilty. Fine of \$150; defendants placed on probation for 1 year. (F. D. C. No. 2911. Samples Nos. 10425-E, 10426-E.)**

This product consisted of emaciated and diseased poultry.

On June 10, 1941, the United States attorney for the District of Minnesota filed an information against Leo M. Priest and Claude M. Priest, trading as F. M. Priest & Sons at St. James, Minn., alleging shipment on or about August 17 and 24, 1940, from the State of Minnesota into the State of New York of quantities of poultry that was adulterated in that it consisted in whole or in part of the product of diseased animals, namely, diseased poultry.

On June 10, 1941, the defendants entered pleas of guilty and the court imposed a general fine of \$150 for the violation charged in the first count and placed the defendants on probation for the violation charged in the second count.