

626. Adulteration of tomato catsup. U. S. v. 150 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 1590. Sample No. 83570-D.)

Samples of this product were found to contain worm and insect fragments.

On March 6, 1940, the United States attorney for the District of Oregon filed a libel against 150 cases of tomato catsup at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about February 26, 1940, from Vancouver, Wash.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. This lot of goods originally had been shipped from San Francisco, Calif., to a Government agency at Vancouver Wash., and was rejected and reshipped to Portland, Oreg. It was labeled in part: (Can) "Tomato Catsup * * * World's Fair Brand Packed by Sutter Packing Company Palo Alto, California."

On April 17, 1940, no claimant having appeared, a decree of condemnation was entered and the product was ordered destroyed.

627. Adulteration of catsup. U. S. v. 30 Cases of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1815. Sample No. 13107-E.)

This product was found to contain worm and insect fragments.

On April 13, 1940, the United States attorney for the District of Idaho filed a libel against 30 cases, each containing 6 cans, of catsup at Moscow, Idaho, alleging that the article had been shipped in interstate commerce on or about October 17, 1939, by the Royal Canning Corporation from Ogden, Utah; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. The product was labeled in part: "Meco Brand Catsup * * * Packed for Mason, Ehrman and Co., Main Office, Portland, Oregon."

On May 15, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.

628. Adulteration of tomato catsup. U. S. v. 35 Cases and 32 Cases of Tomato Catsup. Default decrees of condemnation and destruction. (F. D. C. Nos. 422, 451. Sample Nos. 40833-D, 40834-D.)

Samples of this product were found to contain worm and insect fragments.

On August 21, 1939, the United States attorney for the District of New Mexico filed libels against 67 cases of tomato catsup at Albuquerque, N. Mex., alleging that the article had been shipped in interstate commerce on or about July 6, 1939, by Val Vita Food Products, Inc., from Fullerton, Calif.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance. It was labeled in part: "Val Vita Brand Tomato Catsup."

On September 15, 1939, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

629. Adulteration of tomato catsup. U. S. v. Val Vita Food Products, Inc. Plea of guilty. Payment of fine suspended. (F. D. C. No. 925. Sample Nos. 40833-D, 40834-D.)

Samples of this product were found to contain worms, worm fragments, insects, and insect fragments.

On February 7, 1940, the United States attorney for the Southern District of California filed an information against Val Vita Food Products, Inc., Fullerton, Calif., alleging shipment by said company on or about July 6, 1939, from the State of California into the State of New Mexico of a quantity of tomato catsup which was adulterated. The article was labeled in part: "Val Vita Brand Tomato Catsup."

Adulteration was alleged in that the article consisted in whole or in part of a filthy substance, namely, tomato catsup containing worms, worm fragments, insects, and insect fragments.

The information also charged violation of the Food and Drugs Act of 1906, reported in notice of judgment No. 31063 published under that act.

On February 26, 1940, the defendant entered a plea of guilty to all 18 counts of the information. The court imposed a fine of \$100 on each of the first 15 counts of the information, but suspended payment of fine on the last 3 counts, one of which involved the violation of the Federal Food, Drug, and Cosmetic Act reported herein.