

892. Adulteration of tomato paste. U. S. v. 59 Cases and 99 Cases of Tomato Paste. Default decrees of condemnation and destruction. (F. D. C. Nos. 1935, 1943. Sample Nos. 10814-E, 12464-E, 12953-E.)

One shipment of this product contained decomposed material, as indicated by the presence of excessive mold; and the other contained fragments of insects and insect larvae.

On or about May 10, 1940, the United States attorneys for the Northern District of New York and the Southern District of Texas filed libels against 59 cases of tomato paste at Albany, N. Y., and 99 cases of tomato paste at Houston, Tex., alleging that the article had been shipped in interstate commerce on or about March 19 and 27, 1940, by the Encinal Terminals from Alameda, Calif.; and charging that it was adulterated. It was labeled in part: (Cans) "Firenze * * * Tomato Paste * * * Packed by Turlock Co-operative Growers San Francisco, Calif."

Adulteration was alleged with respect to one lot in that it consisted in whole or in part of a filthy substance, and with respect to the other lot in that it consisted wholly or in part of a decomposed substance.

On July 9 and 15, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

893. Adulteration of tomato paste. U. S. v. 102 Cases of Tomato Paste. Consent decree of condemnation. Product released under bond for segregation and destruction of unfit portion. (F. D. C. No. 1576. Sample No. 85620-D.)

Samples of this product were found to contain fragments of larvae and other filth resulting from insect infestation.

On March 7, 1940, the United States attorney for the Southern District of New York filed a libel against 102 cases of tomato paste at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about October 23, 1939, by the Ripon Canning Co. from Merced, Calif.; and charging that it was adulterated in that it consisted of a filthy substance. The article was labeled in part: "Norma Brand Pure Tomato Paste * * * Packed in California for Norma Packing Co., New York, N. Y."

On June 28, 1940, the Riverbank Canning Co., Riverbank, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that any portion thereof which was fit for human consumption be segregated from the unfit portion and that the latter be destroyed.

Nos. 894 to 902 (with the exception of 896 report the seizure and disposition of tomato products that contained excessive mold, indicating the presence of decomposed material. No. 896 reports the judgment in the criminal action based on the shipment of tomato puree of which the seizure and disposition is reported in No. 897.

894. Adulteration of tomato paste. U. S. v. 276 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 1834. Sample No. 72944-D.)

On April 19, 1940, the United States attorney for the District of Rhode Island filed a libel against 276 cases of tomato paste at Providence, R. I., alleging that the article had been shipped in interstate commerce on or about January 16, 1940, by the Riverbank Canning Co. from Stockton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: (Cans) "Madonna Fancy Pure Tomato Paste."

On October 17, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

895. Adulteration of tomato paste. U. S. v. 66 Cases of Tomato Paste. Default decree of condemnation and destruction. (F. D. C. No. 1974. Sample No. 6483-E.)

On May 15, 1940, the United States attorney for the District of Colorado filed a libel against 66 cases of tomato paste at Denver, Colo., consigned by Val Vita Products, Inc., alleging that the article had been shipped in interstate commerce on or about March 29, 1940, from Fullerton, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. It was labeled in part: "Val Vita Brand Tomato Paste."

On June 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.